



Clark County Planning Commission

Karl Johnson, Chair
Matt Swindell, Vice Chair
Aldo Lampson Veranzo
Bryant Enge
Steve Morasch
Bryan Halbert

PLANNING COMMISSION HYBRID MEETING THURSDAY, SEPTEMBER 15, 2022 MEETING MINUTES

Public Service Center
Council Hearing Room, 6th Floor
1300 Franklin Street
Vancouver, Washington
6:30 p.m.

I. CALL TO ORDER

Planning Commission Rules of Procedure

WISER: The meeting is ready to begin.

JOHNSON: Good evening, Planning Commissioners, members of the public and staff members. I'd like to call this hybrid public hearing to order for Thursday, September 15th, 2022. My name is Karl Johnson. I'm the Chairman of the Clark County Planning Commission.

The role of the Planning Commission is to review and analyze comprehensive plan amendments, zoning changes, and other land-related issues. We follow a public process including holding hearings during which the public has an opportunity to provide perspectives and information. Excuse me. Sorry about that. In legislative matters, the role of the Planning Commission is advisory. The County Council will hold separate hearings, consider our recommendations, and then make a final determination.

The Planning Commission rules and procedures are as follows: The Planning Commission will conduct a public hearing tonight and take testimony. If any public comments were received before tonight's hearing, they have been sent to PC members and entered into the public record.

County staff will present first and then the Planning Commission can ask questions. Next, we will invite the applicant to speak, if there is one, and then the members of the public who wish to provide testimony.

When we get to the public comment portion of our agenda, we will provide more information on how to participate both virtually and in person. However, if you are in person tonight and wish to provide public comment on the hearing agenda, please sign up on the sheets in the back of the room.

During public testimony, you will have three minutes to speak and remarks should be directed to the Planning Commission only. Please do not repeat testimony that has already been provided.

At the conclusion of public testimony, staff, and the applicant may respond to the comments and the public portion of the hearing will then be closed. The Planning Commission will then deliberate and make a recommendation to the County Council.

For both the virtual and in person members of the Planning Commission and staff, please ensure that your microphones are muted unless you are speaking. Planning Commission members, when you make a motion or a second, please state your name for the court reporter.

II. ROLL CALL & INTRODUCTION OF GUESTS

JOHNSON: Tonight, I'd like to just address conflicts of interest. Do any members of the Planning Commission have any conflicts related to the hearing items tonight? Hearing none, we'll start off with the meeting. Could we get a roll call and introduction of guests, Sonja.

ROLL CALL VOTE

MORASCH: HERE
WOGEN: HERE
SWINDELL: ABSENT
VERANZO: HERE
ENGE: HERE
HALBERT: HERE
JOHNSON: HERE

III. GENERAL & NEWS BUSINESS

A. Approval of Agenda for September 15, 2022

JOHNSON: We'll now move to the general and new business section. First, I'd like to hear an approval for the agenda for September 15th, 2022.

WOGEN: I **move** that we accept the agenda.

MORASCH: I'll **second**.

JOHNSON: Is there a second?

MORASCH: I'll second.

JOHNSON: Thank you. Can we please get a roll call, Sonja.

MORASCH: (No response.)

HOLLEY: Who moved it?

MORASCH: Steve -- Steve Morasch moved to **second** and Steve Morasch votes AYE.

HOLLEY: Who -- who -- who moved the motion? Who made the motion?

WOGEN: Eldon.

HOLLEY: Thank you. And Steve seconded it?

JOHNSON: Yes.

HOLLEY: Go ahead, Sonja.

ROLL CALL VOTE

MORASCH: AYE

WOGEN: YES

VERANZO: AYE

ENGE: AYE

HALBERT: AYE

JOHNSON: AYE

JOHNSON: Motion passes.

B. Approval of Minutes for August 18, 2022

JOHNSON: Next we'll take an approval for the minutes of August 18th, 2022. May I hear a motion with your name, please.

HALBERT: Mr. Chair, Bryan Halbert. I **move** that we approve the meeting minutes from August 18th, 2022, as presented.

JOHNSON: May I get a second, please.

VERANZO: This is Aldo Veranzo. I approve the **second**.

JOHNSON: We have a motion and a second. Sonja, can we please have the roll call.

ROLL CALL VOTE

MORASCH: AYE
WOGEN: ABSTAIN
VERANZO: AYE
ENGE: AYE
HALBERT: AYE
JOHNSON: AYE

JOHNSON: Motion passes.

C. Communications from the Public

JOHNSON: At this moment, we're going to take communications from the public that are not on the agenda tonight. Staff, can we have instructions on how to comment, please.

WISER: Good evening. For attendees using their computer or Webex application, if you would like to speak, please use the raised-hand icon. Do you have it up, Larisa? There we go.

For attendees using the telephone, which is the audio only option, please press star 3 on your phone's number panel to raise your hand. For those in person that would like to provide comment, please raise your hand. Once acknowledged, you may come to the microphone towards the front of the room.

Public comments are limited to three minutes per person in order to accommodate all speakers. Please provide your name. Again, this portion of tonight's hearing agenda is only for items not listed on tonight's agenda.

JOHNSON: Thank you, Sonja. So the public hearing will go to that section. Some reminders. If you are providing public testimony in person, please sign up on the sign-in sheet at the back. If you are joining remotely, the instructions will be provided at the appropriate time by staff.

So now we're going to move to our first item on our tonight's public hearing and that is Zalyashko-Nail, OLR-2022-00016. Our staff presentation will be Bart Catching tonight. Bart, are you available there?

CATCHING: I am. And I wish I was there.

JOHNSON: Thank you.

CATCHING: I wish I was there with you folks tonight. I have a head cold and I couldn't be in the room with you, so...

JOHNSON: Well, let's hope you get well. Thank you for going online though, appreciate it.

IV. PUBLIC HEARING ITEMS

OLR-2022-00016 Zalyashko-Nail

A proposal to amend the comprehensive plan designation and zoning from Urban Low Residential with R1-6 zoning to a Commercial designation with Community Commercial zoning on two parcels (156815000 and 156789000) approximately 1.75 acres.

Staff Contact: Bart Catching, Bart.Catching@clark.wa.gov, 564-397-4909

CATCHING: Oh, no problem. So, again, my name is Bart Catching, C-a-t-c-h-i-n-g. I'm here to present for your consideration OLR-2022-00016, the annual review request for the Zalyashko and Nail properties. Larisa, if you could get us to Slide Number 3 that would be great. As we've talked about, this is a hybrid meeting. And you can move to the next slide. Thank you.

So what we are dealing with this evening, and the request tonight is for two adjacent parcels under separate ownership totaling approximately 1.75 acres in total area to have a comprehensive plan map designation change and a zoning change.

The properties are located just to the west of the intersection with N.E. 63rd Street and N.E. Andresen Road, immediately adjacent, immediately to the northeast corner of N.E. 63rd Street and 66th Avenue. Both properties currently include separate single-family dwellings and associated accessory structures. Next slide, please.

As seen on this map with the aerial on the left-hand side with the red dots, the property is located in a neighborhood of mixed commercial and light industrial and urban low residential uses. This map is from a little while in the past in the large undeveloped area to the south is mostly developed at this time.

As I just stated, both of the subject properties are developed with single-family dwellings and outbuildings. The map to the right shows the property highlighted, the properties highlighted in pink. This is a transportation route map which shows the proximity of the properties to the four-lane minor arterial that is N.E. 63rd Street directly adjacent south. Next slide.

These slides were added at the request of the Commission after the work session to give a little more context to the properties. On this first slide is facing directly north from 63rd Street up into the Zalyashko property. You can see the intersection with 66th to the left and the Walgreens development across the street. As you can see, it's just a single-family dwelling located in the middle of the property with some -- with some matured trees. Next slide, please.

This slide is a similar street view facing north from 63rd Street. This is the Nail property. And as you can see the house is set a little bit farther back. Again, you can see the driveway accessing directly off of 63rd Street and some mature trees. And on the right-hand side that you can just see the starting of the kind of green space and stormwater swale drainage area associated with the adjoining residential development. Next slide, please.

There are the properties highlighted in red with the adjacent, immediately adjacent zoning both County and City, the City of Vancouver to the east. As we stated in the staff report and in the introduction of this, this is a request for both a comprehensive plan map amendment and the associated zoning map amendment.

The current comprehensive plan designation is urban low residential and the proposed comprehensive plan would be C, Commercial, and the zoning change that is being requested with that is urban low residential R1-6 to be changed to CC, Community Commercial. Next slide, please.

Regarding the applicable review criteria for county annual review requests of this type, the criteria for all map changes including those accomplished through the site-specific annual review cycle are found in Clark County Development Code 40.560.010(F) Sections (1) through (5). So without further ado we will move into the first criterion.

The -- for Criterion (F)(1) the proponent shall demonstrate that the proposed amendment is consistent with the applicable requirements of the GMA, the WAC, the County Comprehensive Plan, the County Code, and Official Population Growth Forecast.

As discussed in the staff report, this request is found to be consistent with the GMA goals. Specifically, the goals found in RCW 36.70A.020, Urban Growth, speaking to the efficient development with public facilities availability; Number 2, to Reduce Sprawl, discouraging low density development; Number 3, Transportation, to develop consistent with the comp plan; Number 4, Housing; and, Number 5, Economic Development to be consistent with the comprehensive plan and to promote economic development and expansion of businesses.

Staff finds that this request is consistent with the land use and economic developments provisions of the WAC and the Comprehensive Plan. In addition, staff finds that the Vacant Buildable Lands Model adopted by the County and the assumptions therein support the request that VBLM considers this site residential built because each individual parcel is less than one acre and it includes an existing home.

And as stated on Page 4 of the staff report because it is considered residential built in character, there is -- there's only a certain small percentage of land in the county that would be deemed to be redeveloped and this site is only a small fraction of that fraction two percent of a roughly 45-acre category. Next slide, please. And Criteria 1 has been met. Next slide, please.

For Criterion (F)(2) the proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan. The -- so for the request for community commercial it would be that the area provides services to the general neighborhood in urban areas between 5 and 20 acres located at minor and major arterial crossroads.

As stated earlier, the parcels taken together as one site are within the Vancouver UGA and total approximately 1.75 acres. Based on review of the neighborhood, the aggregated adjacent community commercial parcels located around the site and the major intersection of Andresen and N.E. 63rd

Street total approximately 10.92 acres. And, additionally, the 63rd Street and Andresen is a crossroad of arterial streets.

The medical use that is the initial proposed use from the Zalyashko property is allowed outright in the community commercial zone and it is not allowed in residential zones. The community commercial zone would also allow for various other commercial uses that are listed within the zone. Based on the review of the application materials, staff finds that Criterion 2 has been met. Next slide, please.

Criterion 3, the map amendment or site is suitable for the proposed designation and there's a lack of appropriately designated alternative sites within the vicinity.

It's noted that the site is next to other commercial and industrial properties to the south and east that are already developed or committed to development. The -- both the applicants transportation study and staff's transportation analysis support the commercial use of the site.

The applicants narrative and exhibits add additional both graphic evidence and narrative support for the proposal and based on review of the application, staff finds that there's relative lack of alternative community commercial sites in the vicinity of the -- of the site. Therefore, staff finds that Criterion 3 has been met. Next slide, please.

Criterion 4, the plan map amendment either, (a), responds to a substantial change in conditions applicable to the area within which the subject property lies; (b), better implements applicable comprehensive plan policies than the current map designation; or, (c), corrects an obvious mapping error.

Again, as alluded to earlier, the available information both in the application and publicly available to staff show that there's a low probability of residential redevelopment for the site.

The proposed rezone would allow for a logical and compact extension of the existing community commercial uses to the south and the east promoting more walkable and livable neighborhood pattern. It's noted that the intersection with 66th Avenue is already fully improved and signalized.

Additionally, the staff finds that the rezone would allow for provision of additional services to the community under the community commercial zone utilizing the existent transit routes and modes in the immediate vicinity for these two major arterials or minor arterial and then Andresen as well. The proposed amendment better meets the planned policies as stated in the previous criterion. Staff finds that Criterion 4 has been met. Next slide, please.

Criterion Number 5, where applicable the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided to serve the proposed designation including water, sewer, storm, transportation, fire and schools.

As we have previously stated, the site is within the Vancouver urban growth area, the City limits of

Vancouver just to the east on the east side of Andresen, and the site is served by the City of Vancouver water sewer district and it's served by all the necessary public facilities and services such as Fire District 5.

Additionally, the transportation, the applicant's transportation impact study and the County's transportation analysis demonstrate that the proposal would not significantly impact the transportation system and demonstrates compliance with the Clark County Transportation Policy. Thus, staff finds that Criterion 5 has been met. Next slide, please.

This is just a summary matrix of the criteria we just went through. So Criteria 1, consistency with GMA and countywide policies. The staff report made findings in the affirmative. Criteria 2, conformance with locational criteria, again yes. Criteria 3, site suitability and lack of appropriately designated alternative sites, yes. Criteria 4, the amendment responds to a substantial change in conditions, better implements policy, or corrects a mapping error, staff finds yes. And, 5, the adequacy and timeliness of public facilities and services, staff finds yes.

So given those findings, staff recommends approval of the request as presented and at this point I'd be happy to answer any questions or respond to comments. I would like to quickly just for the record state that the between the work session and now we have posted on the public comment section the applicant's e-mail response to the City of Vancouver's letter which was forwarded to the Commission this afternoon. I apologize that it was forwarded at this late date.

There was a little bit of internal confusion with staff about whether we were going to get a different memo from the applicant, but this is the response from the applicant and that is what that's about. So it's my understanding that the applicant is there in the room tonight to answer any specific questions, but I am open to any questions of staff at this time. Thank you.

Questions from Planning Commission

JOHNSON: With that said, let's just go one at a time. Bryant Enge, do you have any questions for staff?

ENGE: Yes, I have a question as you -- Bart was talking about the City of Vancouver. I believe in the memo from the City of Vancouver it did -- it said that mixed use was not allowed under community commercial and I thought I read in the zone -- zoning plan that it was allowed.

CATCHING: Well, we may be talking about the same thing in with using two different terms. The community commercial zone allows for a wide range of uses. There's a matrix of the outright permitted in the conditional uses which we -- if we're interested in discussing specifics we can pull up, but mixed, mixed use is its -- its own particular designation and has its own set of criteria, but the community commercial is very different from the urban low residential that's on the site and the impetus for this initial request was from the Zalyashko party to be able to do business development of this site under community commercial. Am I getting to your question, Commissioner?

ENGE: Bart, help me on this one. This language on the zone in the Clark County zoning specifically says that community commercial includes mixed use development; is that right?

ALVAREZ: This is Jose.

ENGE: Yes, Jose.

ALVAREZ: I think what the community commercial zone allows is for residential development above commercial, so that's what I think what we're referencing in with the mixed use. That's what we mean.

ENGE: And that's allowed?

ALVAREZ: Correct.

ENGE: Okay. I just wanted to be clear on that. Okay. Thank you.

ALVAREZ: You're welcome.

JOHNSON: Thank you, Bryant.

CATCHING: Thank you.

JOHNSON: Bryan Halbert, do you have any questions?

HALBERT: None at this time.

JOHNSON: Thank you. Aldo Lampson Veranzo, do you have any questions?

ALVAREZ: None at this time.

JOHNSON: Steve Morasch, do you have any questions for staff?

MORASCH: None at this time. Thank you.

JOHNSON: Eldon Wogen, do you have any questions for staff?

WOGEN: I just have one. If you go back to Criterion 4 on the slide. The one which said, "Available information supports low probability of residential redevelopment of the site." What available information is that?

CATCHING: That's primarily relying on the applicant's materials in conjunction with the Vacant Buildable Lands Model discussion that we mentioned earlier.

WOGEN: So the applicant himself said that gave some reasons why it wouldn't be able to be redeveloped residential?

CATCHING: Yes.

WOGEN: Do you remember what those reasons were?

CATCHING: They focused primarily on logistical issues with the access to the site coming up from 66th and that the -- the current residential zoning, even though on paper it would allow for a certain amount of residential development, in practice once access was put in, it would not lend itself to developing the site.

I don't want to put words in the applicant's mouth and they're there to make a comment. So unless Jose had anything to add, I'd leave it at that.

WOGEN: All right. Thank you.

JOHNSON: Thank you, Eldon. Bart, can you go back to the, this is just a clarification for me. Will you go back to the Google map or the map that shows -- there's two maps there. I think it's your first map. I'm sorry. I didn't get the page. Not that one. That one right there. So can you just give me -- go one more. Go back one. Right there. Can you tell me what I'm looking at to the east of the properties? What is -- what is that? It looks like a commercial lot to the east, to the right.

PUBLIC: That's the Walgreens.

JOHNSON: It's the Walgreens.

CATCHING: To the right, that's the Walgreens' corner. Yes.

JOHNSON: I just wanted to make sure. And can you just also tell me what is catty corner to that? The other one, do you know?

CATCHING: To the south --

JOHNSON: South.

CATCHING: -- of the site?

JOHNSON: Yeah.

CATCHING: To the south of the site --

JOHNSON: Across from Walgreens.

CATCHING: -- is light industrial.

JOHNSON: Okay. That's all. That's good. Thank you. Do the applicants wish to present tonight? Please make sure for the record that you state your name and slowly spell it for our court reporter and also and then go right ahead. Can you turn on your mic or pull it closer to you? There's a button. Sorry, thank you.

STIRLING: I'd say this is the first time (inaudible).

JOHNSON: Just hold on. Let me -- let me stop you. I'm so sorry. Let's get you a little closer. We'll get you going. We might have to have you jump to the other one if it doesn't work. Sometimes we have problems. No. How about we go to this one to your right. Yeah, there we go. Thank you. Sorry about that. Just give this one a second. There we go. I just heard it. No. Just give me one second. I guess we're going to move you over there to where staff uses.

STIRLING: All right. We got it.

JOHNSON: Okay. Thank you very much. Sorry for the delay folks.

Applicant Presentation

STIRLING: Okay. Can you hear me now? All right. For the record -- yeah, that's really working. For the record my name is Joel Stirling. My last name is spelled S-t-i-r-l-i-n-g.

My company name is Sterling Design Incorporated and we prepared and submitted all of the items for this application. My background is I'm a registered engineer, professional engineer in the State of Washington. I've been in business for over 20 years and my expertise is in land use planning.

I want to start out by saying I appreciate the interaction that we had with Clark County staff. My company is fortunate enough to be working on the projects directly to the south, a gymnastics facility, a storage complex and a contractor warehouse, so we were very familiar with that -- this area when the landowners requested that we submit this application for them. I have been through the staff report. I really don't have a lot to add to it. I'm in support of it.

My background as a professional engineer, the things that I focused on in terms of practicality of development had to do mainly with transportation access. I appreciate that the e-mail that I had put in the record was forwarded to you this afternoon.

There were a couple exhibits attached to that e-mail. One of them was in specifically to transportation access and how these properties would develop in the future. The access point at a signalized intersection needs to be placed far away from the signal itself to allow for queue and stacking of vehicles. The particular signal that we have at this intersection does include a left-turn lane.

So you have two points of stacking that go north/south along the easterly side of the property. So the safest access is located at the northerly portion of the properties, the northeasterly properties and that would align almost exactly with the access into the Walmart complex to the east, that, or Walgreens. I'm sorry.

That particular intersection, if it were actually a road, would then not meet county spacing for cross-circulation roads once that N.E. 65th Street is extended to the east which is north of the property. So I just want to make sure that my exhibit was something that you have looked at and understand the concerns that I would have in terms of access to this site under a residential use.

The other part that comes into play with the transportation aspects of this proposal in one of the slides, the easterly parcel, you can see the residential access that currently goes directly onto 63rd. That access is approximately 55 feet from the signalized intersection, which, again, is -- does not meet any code and is what we would consider a safety hazard with that driveway coming directly onto an arterial road.

So with the conclusions of the vacant lands model which I would support from a practical standpoint of my 20 year experience, those properties are very unlikely to redevelop in a residential zone which means that those residential accesses directly onto an arterial would remain for some time in the foreseeable future.

My opinion is you have two willing property owners that are willing to accept another zone. One of them has a specific use for that zone. We will eliminate those two direct accesses onto the arterial, better align the access at the northerly end across from Walgreens and maximize the functionality and the infrastructure that has been invested in that area with the signalized intersection along with all of the other public utilities.

So other than that, I don't have any more to add into the record. I'm here for reference for questions and we have some interested public parties here and so I'll be available to answer questions from them as well.

Planning Commission Questions of Applicant

JOHNSON: Can you hold on there. Just thank you very much for your comments. So I'd like to just -- we just got to go through this because we're hybrid one at a time so we make sure. So questions for the applicant, Commissioners. Bryant Enge, do you have any questions for the applicant?

ENGE: Yeah. You talked about the access on 60- -- was that -- on the non-arterial street there. So is that going to be an easement that allows someone to go through the one property to get to the other property?

STIRLING: That is correct. Both properties will access from that northeasterly corner and there would

be an easement that provides access to the westerly property also.

ENGE: Okay. So that's off of 66th Avenue?

STIRLING: That is correct.

ENGE: Okay. Thank you.

JOHNSON: Thank you, Bryant. Bryan Halbert, do you have any questions for the applicant?

HALBERT: No questions.

JOHNSON: Thank you, Bryan. Aldo Lampson Veranzo, questions?

VERANZO: No questions.

JOHNSON: Steve Morasch, do you have any questions for the applicant?

MORASCH: No questions. Thank you.

JOHNSON: Eldon Wogen, any questions for the applicant?

WOGEN: No.

JOHNSON: And I don't have any questions. So thank you very much for your testimony.

STIRLING: Thank you.

Public Testimony

JOHNSON: So now we'll open the hearing for public testimony. We're going to have the clerk or staff provide instruction for calls on people to comment or do you want me to wait until I just go through the people that are here first and then we'll deal with those if anybody's on?

WISER: Start with the people in the audience?

JOHNSON: Yes if I may just make it -- is that okay? Yes, I'd like to start with the people in the audience first. Okay.

WISER: Yes. Okay. I'll read the instructions.

JOHNSON: Okay. Thank you.

WISER: Good evening members of the public. Please note that in order to be a party of record you must submit written testimony before, during, or prior to the close of tonight's hearing; or provide oral testimony at the public hearing; or request in writing to be a party of record.

No person shall be a party of record who has not furnished their full name, e-mail address, or Post Office mailing address. If written comments were received prior to September 15th, 2022, they were submitted to the Planning Commission members and posted on our Planning Commission website.

This hearing is being transcribed by a court reporter so we are requesting that you spell your last name and speak slowly. Public comment is limited to three minutes. So we will begin with in person comments with people here in the audience and when we call your name on the sign-up sheet, please come up to the table and provide your name and address for the record. If you do not wish to provide public testimony, please say so. So, Karl, you have the sign-in sheet and you can call the names.

JOHNSON: Thank you, Sonja. So some of you wrote unknown on these and I'll just call your name, and if you choose to come up, please come up. If you don't, that's okay, just let me know. So I have Karen Lansing. Are you here, Karen, or are you going to come up and speak? Okay.

LAWSING: I have a question.

JOHNSON: Well, that's quite all right. Let's get your name and everything for the court reporter. So pick a mic. I think it's that one right there.

LAWSING: Hi. It's Lawsing, L-a-w-s-i-n-g.

JOHNSON: Good. Have a seat. And it's for the court reporter, she's online so it's okay. So go ahead with your question, ma'am.

LAWSING: My question concerns the traffic that Mr. Wogen brought up and the gentleman was talking about. 66th Avenue is not a through street. There's a barrier on the northern end of it and I'm wondering -- I'm concerned about increased traffic and the ability to handle it down at that signal and I'm wondering if there's plans to change that barrier on 66th on the northern end of it.

JOHNSON: Bart, are we able to answer that right now or is that something that we would want to put down and have them get back with Karen? So a lot of these questions what we'll do is we'll get them recorded and then staff will get back to you, okay, so that's probably the simplest way. Thank you very much for your question, Karen. Maria Tarabini, do you wish to comment? Ma'am, just make sure you spell your name and slowly.

TARABINI: I will. Thank you. And, actually, for pronouncing it correctly. Last -- Maria, last name Tarabini, T as in Tom, a-r-a-b as in boy, i-n-i. Their property that they're proposing to -- well, it looks like it will be developed, our property is directly next to it.

So there's what we call the pond and then our property and so the developed property is literally one fence away, our property, the fence, their -- their development.

COMMISSIONER: Which -- which side, east, west, south?

TARABINI: West side.

COMMISSIONER: West side. Okay.

TARABINI: So we are on the west side of the property, their property, and then 66th Street. We're in that new development, not in the super new development with all the apartments and the townhouses, the Quail Grove Development.

Two things. The map amendment or site is suitable for the proposed designation and there is a lack of appropriate designation -- designated alternative sites within the vicinity. I disagree with that completely. There is stuff on the other side of 63rd Street on the southwest. I did that properly, didn't I? Southwest side, on the Safeway side where that new gymnasium has gone and then there's on the gray building, God, I can't remember, and then some other industrial buildings and then there's some lots and there are other places. Okay. There are some places.

Then on our side down 63rd, there are some empty places. Yes. There are some power lines. Well, gosh, darn it. There are some power lines around our houses too. Okay. So I don't agree with that that there are not appropriate designated alternative sites. I vehemently disagree with that.

The second thing is, is the applicant maintains a relatively small size subject properties. Okay. You talked about possibly residential above commercial. How high is that building going to go? So we have down 63rd at 72nd, there was a one house -- one story little brick house where grandma probably lived. Grandma died. Nobody wanted that house and now there are two and three-story apartments there on that one house property.

Go down a block, there was a trailer house. There was another trailer house and a vacant property. That is all now raised and now two-story townhouses are going up there right next to the school where the only access is going into where the school is because they decided that because it's right probably right next to the intersection there's not going to be enough ways for people to get into those townhouses I guess. Although, it was just fine for those houses but grandma died. People sold it off. They got their money so now these townhouses are going up.

But my main concern is how am I and my house going to be compensated for having nice trees in a nice area and now I'm going to be stuck with a building or a parking lot or people laying down all their crap and their garbage next to my house? Literally, next to my house. I understand it's not my property and I don't have \$500,000 to get it.

JOHNSON: Thank you for your comments. So -- and, you know, I'm sorry for the clock because it

frustrates me sometimes --

TARABINI: No, that's fine.

JOHNSON: -- but we have to hold you to three minutes and you did a great job.

TARABINI: I get it.

JOHNSON: So but thank you for your comments.

TARABINI: I just don't have the money to buy the properties so it's not mine to develop, it's theirs. I get it.

JOHNSON: Okay. Thank you. Peggy, is it Peggy Prager? I can't read your last name. I'm sorry. Do you want to come up and speak or not? You can come up with her if you'd like. Are you --

BECK: I'm Rachel.

JOHNSON: So you're Rachel. Come on up both of you guys. And then would you please state both of your names for the record and spell.

BECK: So are these green, red, secondary or do they go yellow all the time?

JOHNSON: Yeah, you're fine. They -- yeah, because -- we'll let you know. You have three minutes and as soon as it goes red, there will be a beep.

BECK: Yellow at one time? What time does it go yellow at, like, 2:45?

SIDOROV: Yeah.

BECK: Okay. This is my mother, Peggy Prager. She lives at the property at 6608 N.E. 66th Avenue and my name is Rachel Beck, B-e-c-k. I am her daughter. And I want to quickly talk about --

PRAGER: You also live there.

BECK: And I also live there, yes. I want to talk about the 66th Avenue. It does have access and it is developed, I agree with that, until you get to the private graveled driveway. There are about, I want to say there's about nine homes, ten homes that are affected on that private gravel road.

The houses that were not contacted about this planning -- about this -- about the -- I can't say the last name. I'm sorry. This proposal, we're house number 6608, 6700, 6607 and they access from 66th Avenue. They will be impacted. When Walgreens was developed, there was increased -- increased people driving up the private gravel road which is maintained by the owners, so there was a lot of wear

and tear on the road.

I'm not clear that everybody understands in the room what community mixed use is. There was a comment from Mr. Enge. Is it Enge? Sorry. Enge. And so I just want to make sure that there's a little clarification about exactly what kind of property can put -- be put there. Is it buildings? Is it -- is it apartments? Is it condos? Is it a gas station? I just want to make sure that everybody understands what could be there.

Also, I'm a little concerned that there is a -- the 45-acres being developed, the plan, there's two percent, and this falls in a really low part of it. So 66th Avenue all the way to about, I think it's 52nd or 53rd on the north side, it is all residential. All south is commercial. I am concerned that why are we developing this particular piece of property for that? Is there anything you would like to add?

PRAGER: I don't think so.

BECK: Okay. Okay.

PRAGER: I don't want any townhomes or apartment buildings there. We've got plenty in our area that have been built recently.

BECK: The other thing I'd like to speak to about the property being developed is there are mature trees and just making sure that we keep in contact with the development if it is so approved, that we allow for some keeping it in -- within the parameters and replacing mature trees on the property and making sure that that's developed because there are a lot of neighbors.

One of the -- the pictures are not -- also the pictures are not shown how close the four -- if we could pull up the property picture map.

JOHNSON: Can we shift to the -- there you go. Thank you.

BECK: There we go. So the properties, there's four. Four properties north and then there's two properties south and it really deems a site visit to really understand how close these properties are to the homes that people have and there -- to their houses. So that is a concern.

The other concern, like I said, is the -- the private gravel road. We would -- we would prefer from the neighbors we have talked to because of the increased access, we would like frontage, and we would like a gate put in that we can access, a locked up gate and we would like fences built along that northern property line. Thank you.

JOHNSON: Thank you both of you. And, again, your questions will be -- they're hearing them. So a lot of these questions through staff, I would encourage you to get back with them, and if anything's not answered, that you would just contact them. So thank you.

BECK: Thank you.

JOHNSON: Yeah. Up next Kelly, I think it's Cowling. I'm sorry. I can't read your last name. I apologize. I'm trying my -- is it Cowling?

COWING: It's Kelly Cowing.

JOHNSON: Cowing. Okay. Thank you.

COWING: That's Cowing, C-o-w-i-n-g. Kelly, K-e-l-l-y. For the Planning Commission, my name is Kelly Cowing. I live at 6408 N.E. 66th Avenue with my wife Annie Cowing and my son Leo Cowing.

Our property is directly adjacent to one of the two lots proposed for commercial zoning and would be significantly impacted by the change. We're just immediately south of that property or north of that. Excuse me. I want to go on record as stating on behalf of myself and my family that we are against the proposed zoning change of the existing residential zoning to the proposed community commercial zoning.

The proposal submitted is not a reasonable objective evaluation of what is likely to occur. Instead, by seeking to change the zoning first without proposing the end use of the property, any relevant discussion regarding the changes that will eventually occur is conveniently bypassed.

The determination of nonsignificance that was prepared is a sham. Once the zoning is changed, anything permissible within a community commercial zoning becomes possible. Those changes will directly impact the residential community that surrounds it. It makes more sense to talk about the most likely scenario of what the property will become rather than to evaluate this is a simple zoning change.

I am told some years ago that the property on the other side of 66th Avenue that is now where Walgreens is located was a bunch of residential zoning and has changed to a community commercial zoning. So let's assume that a structure like Walgreens is eventually placed there as the most likely scenario for the end use of the property.

In that case, all of the beautiful 30-foot high trees that stand there now and shelter our view from the commercial sprawl of 63rd Street would be removed. Instead a 20-foot high ugly commercial building that towers over our six-foot high fence would stand in its place.

Along with this would come 30-foot high lampposts with high intensity lighting that would stay on all night long, that will become the permanent view to the south from my backyard and the backyard windows for me and my surrounding neighbors.

I would prefer to see the zoning authored so that higher density residential use was available on the site where the two lots are. That was what occurred with Quail Grove, the five acres that were

developed on the other side of the property to the west immediately adjacent to it.

For the staff to say in Criteria 4 that evidence supports low probability of residential redevelopment of the site is to remain willfully ignorant of how other parcels along 63rd Avenue have been developed. That's what I have to say.

JOHNSON: Thank you, sir.

COWING: Thank you.

JOHNSON: Annie Cowing, are you wanting to -- thank you. Come on up and spell your name, please, for the record.

COWING: Hi. I am Annie Cowing. It's A-n-n-i-e, last name, C-o-w-i-n-g. I simply have too many scattered thoughts and questions regarding everything presented tonight. I'm in full agreement with my husband.

One question, for instance, when it was brought up about an easement, if these -- if an easement could be used for commercial use, couldn't an easement be used for residential use and it be developed for residential use and something be made of this property which is a property that is rather dismal looking except for the beauty of those trees and the niceness of the people living there?

One time in July when it was 4th of July and people were lighting off their fireworks, those neighbors were kind enough to follow-up on one that, an errant firework and we got introduced and it was very pleasant. That's the kind of thing that this neighborhood is all about. It's people reaching out to people.

So when it was said that this developer was, you know, really aware of what was going on there, he made no consideration and has no awareness of the residential in the area and what that's about. A more -- a new -- a newcomer comes into our area, the better. As far as a residence -- a resident, the better our neighborhood has become and the closer we have learned to live with each other and there's plenty going on.

For instance, there's already a dental office kitty-corner from where we live. It's very close. There's already a dental office. There's many things already very -- I live there. It's very nice. There's lots of things that are close by and we do not need anything else in that area. We really don't.

If we want to walk to Subway, we can do that. And if we need a cell phone cover, we can walk there. And if we want a coffee, by gum, there's a wonderful Brewed Awakenings and I can walk to Walgreens. Okay. You know, it's not -- maybe the only thing I can think of is a gas station but we wouldn't want a gas station there because we've got these beautiful trees.

And, furthermore, the trees on all four of those properties north of the two adjacent lots have some of

the most beautiful trees in the Northwest. These are towering pine trees and they're the type that need each other and their network of roots to stay very healthy and slowly these wonderful -- I can finish that last sentence?

JOHNSON: Finish your thought, yes, go ahead.

COWING: Slowly from the west moving east these trees have been taken away. Our trees that were the furthest, sorry, west of those four homes are the last stand, and they are needing each other to stay completely healthy.

JOHNSON: Thank you.

COWING: I'm just worried that if they take out all those trees nearby it can damage our trees as well.

JOHNSON: Thank you for your comments, ma'am. Okay. Is there anybody else in the audience who has not been heard or who came in late by any chance that wanted to testify? Come on up, please, and state your name, sir.

HEWITT: My name is Don Hewitt, H-e-w-i-t-t. My wife is Maria Tarabini. I did not sign up to speak and I appreciate you giving me a chance. I've heard a lot of things.

JOHNSON: You just need to get a little closer to the mic. I'm sorry, sir.

HEWITT: I've heard a lot of things tonight and I've been around in my previous life in Elko, Nevada. I've been in the -- as a developer, I've built a lot of buildings. I know what the realities are.

The individual property owners next door to these things don't have much of a vote. If you want the property rights, buy the property. I'm sure you'd all agree with that. It's pretty simple. Like my wife said, we would, but it's beyond our reach.

I think what I would like to say at this point that we will follow this process and I hope it will go through the normal building process. The building plan and the development of the lot itself will all have meetings and approval process. Am I correct in that?

So there will be a chance to have further input like how high would a fence be, but on the pond, will it wall off the pond on our house and the next house from this property? How high would that be? There's a lot of things to be considered in developing that property, that pond is not the easiest thing to deal with.

So we will be following that process as it moves through the normal development process. The building, what's the proper term for that? The building permit process, they have a long ways to go.

Another thing just for clarification, the article in the newspaper said that all zoning changes were set

off for three years. Is that still correct?

JOHNSON: So we'll have staff come and try to answer some of these afterwards, so just go ahead with your comments and then at the end we'll try to get some of your questions answered. And if that's not, we can have an e-mail sent to you.

HEWITT: Okay. Well, that's what I understood from the paper, but because of the swamping of the whole process, that it was delayed to the extent that they were not accepting new ones and those that are in process were at least three years out. So that gives us some time to think, developer some time to develop good plans and good relationships with the contiguous property owners. Thank you very much.

JOHNSON: Okay. Thank you, Mr. Hewitt, for your comments. Would the applicant like to respond to any of the testimony that has been heard? Yes, ma'am.

LAWSING: I didn't get to use up all my three minutes.

JOHNSON: I'll tell you what we'll do, okay. And thank you. Okay. So we're going to come up, we'll give you -- normally, we wouldn't do this, but we'll just, for the --

LAWSING: Well, this is my first time doing this.

JOHNSON: Public comment and getting the public involved no matter what is awesome --

LAWSING: Garbage.

JOHNSON: -- so thank you very much for --

LAWSING: Garbage. I pick up trash when I walk. I carry a bag and I can't keep up even though I walk daily and I pick up trash all around up and down 63rd and 66th and around Walmart. I mean -- not Walmart, Walgreens and I'm concerned it's just going to get a lot worse.

And I know that this is not a concern to a lot of people, but I'm out in my garden and I'm working and I'm listening to those guys on Big Blue, the gymnasium building, and they're working on the roof and from my yard all I can hear is cussing and swearing and F-you and I shouldn't have to listen to that.

JOHNSON: For the record, I think that's Karen Lansing; right?

LAWSING: It's Lawsing.

JOHNSON: Lawsing, I'm sorry. I'm trying to read the writing here, ma'am, so... Would the applicant come up? Thank you.

STIRLING: Good evening. Again, for the record Joel Stirling.

ALVAREZ: I'm sorry, Joel. Could you hold on a second?

STIRLING: Okay. Yeah.

JOHNSON: Yes, Jose.

ALVAREZ: Did we check to see if there were any online comments?

JOHNSON: Thank you. I'm sorry about that. I did not check. I thought we -- was there anybody online that was going to comment, Larisa?

SIDOROV: I only have one person that's online, Bryan Snodgrass. If you want, should we read the instructions?

JOHNSON: Yes, would you please do that. Thank you. Thank you, Jose. Go ahead, Sonja.

WISER: We will begin with the Webex callers and we will start with those participants that have joined remotely via computer or telephone. Please raise your virtual hand or press star 3 on your phone to let us know you'd like to provide comment. Larisa.

SIDOROV: Bryan Snodgrass, I'm going to go ahead and unmute you.

SNODGRASS: Good evening. Can you hear me?

SIDOROV: Go ahead. Yes, we can hear you.

SNODGRASS: Okay. Pleased to be here. I appreciate the opportunity to testify. It's Bryan Snodgrass with the City of Vancouver. You have our letter. We're testifying in opposition because we believe the residential zoning is a better long-term fit for this area as it grows and it will and the proposal doesn't meet the necessary criteria.

The site as you know in the area is just outside city limits. It has a more complete range of both commercial activities and public services than many areas in the VUGA and many areas really in the City of Vancouver for that matter and adding another dentist office and whatever develops then on the adjacent Nail property next to it later in time is not going to be harmful but it's not clear how it will help or enhance the area.

And the fact that it's an additional dentist to the immediate means that some of the typical economic benefits will likely be more muted. That we haven't -- that the applicant didn't address this necessarily in the application but because of some of the business to be generated by an additional dentist will be simply business brought over from the existing dentist in all likelihood.

Where likely in our comprehensive plans coming up which are certainly (inaudible) for us and I'm sure for you and your staff to need to accommodate quite a bit of additional population housing throughout our communities and if it's -- if some of it, at least a small portion isn't accommodated at sites like this, it will need to be accommodated elsewhere and that probably means in sites that don't have the full range of services as this area does.

Meeting all the criteria as you know corresponding not just that the commercial zoning is as good as residential zoning but in fact that it's better and most of the debate and discussion has -- has less, been less around does it better meet policies and more that residential has been asserted is less likely to develop and we'd like to differ respectfully with that.

We certainly don't claim to know the site as well as the applicant, but we see many examples of, not in downtown Vancouver or in our areas necessarily of sites like this developing. I went on the county website of pending developments and found several developments for land divisions smaller in size than this now pending before the county.

Last year we approved a rezone about right on this street 63rd Avenue for a development, which is now coming in for a 55-unit proposal at the corner of 63rd and 72nd Avenue, very close by. We now have right next to it a proposal coming in right at that corner of 0.3 acres proposed to rezone to the R-22 designation. So we certainly think that residential is likely to be viable in these kind of circumstances.

Regarding the specific access issues posed at this site, we did -- we did talk with our traffic engineers and broadly speaking they -- they believe that whether this site is zoned commercial or residential the requirements are likely to be similar.

The likely access point as the applicant mentioned is likely to be on 66th Avenue across from the Walgreens access and how then that is internally served is going to be largely driven by what is proposed.

And if residential zoning is capped, it's not necessarily the case that that would automatically require an internal public road along the full length of the northern border of the site as was asserted.

Also, in terms of the looking at the citywide, the new citywide model to determine how this specific site might develop I think is somewhat problematic because it is a citywide model and it doesn't take into account some of these particular factors.

If we do look at the model, though, we would want to look at, I think, all of it and it is true that the model as we understand only assumes five percent of residential and five percent of cases of this size will -- will yield residential redevelopment, but as we understand it if the property was zoned commercial, the model would consider it built and there would be no assumption for any kind of redevelopment for commercial properties of this size. So in terms of consistency with the model, and,

again, we're not suggesting that's where you should look, it favors or it does not favor the rezone.

That's all we have. We would just ask however you consider this site and there are arguments in all cases. Just keep the longer term in mind and in our view also keep how this -- what would complement this area better and if more time is needed and more information is needed, as we know from the schedule, you're not -- the City Council is not in a position to act on this until next July. So that is all we have and happy to answer any questions.

JOHNSON: Thank you for your comment. And with that, is there anybody else that is on the virtual?

SIDOROV: There is nobody else.

JOHNSON: Okay. Thank you. So now we will close public testimony. And, staff, is there anything you'd like to respond to there before we go to the applicant? Okay. Hearing none. Now -- excuse me. Go ahead, Bart.

CATCHING: Sorry. Were you going to add anything, Jose? I had a couple of comments.

ALVAREZ: Yeah, I do. Go ahead.

CATCHING: Just real briefly. We, as staff, very much appreciate the public's input in this process and take everyone's comments to heart. I would just, again, redirect the Commissioners' attention to the actual application in the staff report. A couple of things that I would like to hit in relation to the public comments.

There were a couple of comments about 66th and increased traffic to the north. Again, as Mr. Snodgrass from the City just mentioned, any development of the site including more dense residential would have to go that direction, so increased traffic would be a result of any new development going that way and certainly any new development, whether it would be commercial or residential, would have to meet all applicable county land use permitting, transportation standards, what have you.

There were several of the members of the public that raised concerns not just about the change in use in the property but change in character of the property with removal of the trees. That is heard. However, that's not a criteria that we would address in this request.

The trees and whether they would be removed are a function of the permitting process for the particular land use permit that would come whether it was residential or commercial and so this is not the venue to discuss preserving the trees.

However, we would like to bring everyone's attention to the consideration of there are landscaping standards and screening standards that would apply to a commercial development if it were to move forward on that site, including as the applicant mentioned the L. At the minimum, the L4 standard

which is a screening wall with a ten-foot buffer and associated plantings and under some circumstances even a more robust screen with the L5.

There were some conflicting comments about not wanting townhomes or more dense residential development which one might argue kind of argues for commercial, so that's slightly conflicting.

The last comment from Mr. Hewitt was well taken in that any development that needs to happen on this site would have to meet all applicable building codes and current planning land use entitlement process, process requirements and nothing in this consideration is before you tonight would circumvent that or shortcut any of that process.

And we have heard the comment about the SEPA determinations before. And, again, this is a non-project action, just a mapping exercise and so the SEPA DNS is appropriate in this case. And I would pass it to Jose at this point for anything additional. Thank you.

ALVAREZ: All right. Thanks, Bart. Larisa, can we go down to the last slide or second to the last slide. I just wanted to go over the process.

SIDOROV: Which slide was that, Jose?

ALVAREZ: Keep going down to the either the last slide or second to the last slide, 15 or 16. Keep going. There you go. No, back one. There you go. Okay.

So we're having this Planning Commission hearing this evening. There will be a work session with County Council sometime next year, probably April, May next year with the Council hearing at some point afterwards.

We are -- we can't amend our comprehensive plan until July 19th to have that effective until July 19th of 2023.

I think there was a comment about the suspension of our process. Yeah, that suspension starts with applicants that would have normally applied this fall. This applicant applied last fall, so this -- these, we have three applicants in this cycle that will terminate at the end of July of 2023. So that suspension doesn't apply to -- to these -- to these applications that we're considering. I think that's all I have. Yeah, that's all I have.

JOHNSON: That's it, Jose? Was that all you had to add? I didn't hear that.

ALVAREZ: Yes.

JOHNSON: Okay. Thank you. Thank you both. With that said, now we'll go to the applicant. I apologize, sir. Go ahead. Will you restate your name just for the record, please.

Applicant Response

STIRLING: Yes. For the record, Joel Stirling. And I don't have a whole lot to add. I think County staff did a good job of highlighting the fact that we are not in the proposal stage. I want to reassure the neighbors that public notices will go out. We will have interaction with the neighbors. Our intent is quality development. We want to be good neighbors.

Some of the comments regarding traffic, I think traffic for the most part would go south to 63rd. I don't think there would be much traffic going north to the gravel private road. There's more likely to have traffic going that direction in residential development than people that are scheduled for commercial-type uses in dental offices. However, traffic would increase so there's no way that development of the property whether it be residential or commercial would not increase the traffic.

Change is hard. People generally don't like to think about change. However, we are quickly adaptable and I've been in this line of work for over 20 years, seeing this happen many times.

I do want to make one comment to Mr. Snodgrass's points that he brings up. We know there's a housing issue. We know that the City of Vancouver is pressing for higher densities. Just a word of caution to the neighbors in the correspondence from the City, some of their zoning standards are going for higher densities which are taller buildings. I don't think that that would satisfy the concerns we've heard this evening.

So that's what I'm going to leave the record with. I'm available for comments and we look forward to continuing the process. Thank you.

Return to Planning Commission

JOHNSON: Thank you, sir, for your comments. With that said, we will now bring it back to the Planning Commission for deliberation. Gentlemen, I will call on you one at a time once again for any comments if you have any. Bryant Enge, you are up first, my friend.

ENGE: Thank you. I think my takeaway from what I heard tonight, I understand the sentiment of the existing property owners around the proposed area or proposed development area.

Understanding that, though, the piece about the maximizing and leveraging the public facilities and public infrastructure that we currently have there, I believe that this would take into account and leverage the infrastructure that is already there. I think there is something to be said in terms of the leveraging the other similar type of properties that are there with the industrial and other retail activities there.

And in terms of future development and the housing crunch or lack of housing, the ability to do mixed use in the future is there. I understand that the proposal includes a dental office but that may be the near-term. But the ability to look at a mixed use and have residential on top of commercial activities in the future is not precluded in the future, but actually the opportunity is there. So those are my

comments. Thank you.

JOHNSON: Thank you, Bryant. Bryan Halbert, do you have any comments?

HALBERT: Yeah, just a couple of comments. I really appreciate the public input that was given tonight and I know that we're a body that will approve or not approve this proposal, but the public comments, the comments that you have made will also go to the County Council and they will hear all these comments and some of the comments are applicable items.

We're always concerned about the livability of our neighborhood. I live in that neighborhood too. I saw the development that's to the west of the site. It was a treed property at one time and those trees were completely cleared when those homes were built.

And I agree it's a shame to see mature trees and stands of trees go and, you know, perhaps the applicant will work -- you know, we encourage them to work and the ability to save some of the mature trees on that site, but we also know that trees have a lifecycle.

And then the county, they're not required to test each of those trees or determine their lifecycle where they're at, but pine trees especially have a limited life so I'm just throwing that out. That sometimes it is a -- trees that are already passed their maturity and need to be removed for the safety and other times the trees are valuable and we want to keep them on the site.

So I appreciate those comments and -- and I get that, you know, one way or the other this site is probably going to get developed at some time and your input as to how that proceeds and how they can be good neighbors to you is important. So thank you again for those comments.

JOHNSON: Thank you, Bryan. Aldo Lampson Veranzo, do you have any comments?

VERANZO: Yes, I do. First off, I do appreciate the feedback from the neighbors that are impacted by this change. I experience this where I live today with all the housing development going on and lots of trees and whatnot so I empathize.

I want to call out that we're all -- all of Clark County is under a constant tension between development, the kind of development, and the residential, the place that we call home. What's really important is that we can cooperate and strike a balance.

It is obvious that the owners of these two parcels intend to change and we have to deal with that. Some of us don't want change or don't want to face change. We like things just the way they are, but change is constant.

And so in acknowledging this change, county staff and Joel himself representing the owner both acknowledge there are several opportunities between now and what the final end use is. There are opportunities for the public to continue to provide feedback to County Council.

On screen, the steps have been laid out so that you could actually still influence the outcome depending on what your relationship is with these two parcels. And so this is some of the hardest work in living in Clark County and watching its growth unfold before us that we need to have compassion, understanding and work together to find a solution that works as best as possible for everyone. Thank you.

JOHNSON: Thank you, Aldo. Steve Morasch, do you have any comments?

MORASCH: Yes, I do as well. Sorry. I'm outside so I might be kind of dark. I agree with the comments of the other Commissioners and appreciate all the testimony tonight.

I think the one thing that struck me about the proposal is that this is on a corner which has existing commercial on, you know, in very close proximity with a signalized intersection right there and so I think when you look at jobs to housing sort of balance, I mean, this is an opportunity for more jobs in our local community and, you know, a dental office or any -- any use that people that, you know, live in proximity could -- could go to means they won't have to drive as far, you know, to go to that type of use and so I think it really does make sense -- more sense for commercial at this intersection right -- right near the signal and -- and the other commercial areas to the other side of the road.

I think staff also did a very good presentation on the criteria and so I would tend to support staff's proposal. And that's all my comments.

JOHNSON: Thank you, Steve. Eldon Wogen, do you have comments?

WOGEN: I do. I -- I do agree with what Aldo said about in the future that the residents nearby will have to influence how that property will look no matter how it gets redeveloped and it will be redeveloped someday.

What we're doing here tonight is a mapping exercise that County staff mentioned. And I agree with Steve also that because it is so close to the signal and there's so many commercial properties nearby, it does look like it might have its best use in a commercial application.

JOHNSON: Thank you, Eldon. So, you know, we put a lot of these and it's just interesting where we come from, you know, we're not -- we're -- I'm a schoolteacher. I mean, there's other people that do things so we're taking this in, listening very carefully and then there's this force and, Mr. Hewitt, you made some really, really great points to me which were it's about how this process is going to go forward.

And I don't want you to get discouraged because one of the things I want to tell you is that that's why it is critically important that this stuff is put on the record because you're now taking this stand now and then you'll go before Council hopefully and then when and how this gets developed, the trick here, and listen, this is years and years and years of me going through these.

The trick is to develop the most powerful, positive relationship with the opposing factor because it's not like, oh, it's going to happen, you win, you lose. It's how do you empower yourself to have the most impact on what probably inevitably is going to happen. I can simply say, oh, this is just, okay, it's going to happen way out there. Well, we know that way out there something is going to happen.

And so I hear what you're saying but I just, you know, here it is. You have the residential and the forces of the commercial and you're right there and you're on that corner and this is the grind and there is no good answer. There's no great answer. I mean, whoever, quote, unquote, wins.

So when I come to you, I don't -- don't leave in a place of discouragement because I -- because I feel like Steve, I'm a big property rights guy, you know. Your property is your property and, yes, there are parameters. We can't put a nuclear power plant next to you. There's State regulations. There's everything we can do. Those trees are important.

Karen, you said about trash. You know, something about trash real quick, I heard a thing on the radio this morning that they've collected the most trash in the State of Washington ever on the roads. So we can't just go, yeah, you'll be fine, move on.

So I don't want you to be discouraged, I want you to be encouraged and I'll tell you how this works best is if you get with the applicant and you do your best to try to mitigate or get what you want because in the end something's going to happen there. It's too interesting of an intersection if we look at it across the street, Walmart, all those things.

So I don't want -- and the five criteria have been met, that is just the State standard we look at. We're not looking at, sadly, trees because the trees are important. They're beautiful trees. That's one of the first things.

Mitigating the water, that's important stuff. But as I go down this thing, you know, jobs, mixed use, balance. Balance, how do you balance the corner of that thing and then it's signaled. It's prepping its way, so...

I just encourage you as the vote is taken - and I don't know which way it's going to go - but that you, absolutely in my words, get in the back pocket of the applicant and go, hey, listen let's go kick the -- let's go kick the rocks around out there. Let's go have some what I call "crucial conversations," and if you do that now, you'll likely get as much on both sides as you want as we did with Solomon, you know, they cut the baby in half, so...

I hope that helps because my heart truly is listening to some of you and I just go, man, this is tough. But if they built something, not they, but anybody, it's going to get built up. It's coming that way whether it's residential or commercial. So that's just my feelings.

With that said, are there any more comments from the Planning Commission? Okay. I will either take

a comment or a motion regarding -- let me make sure I get it right before I let you go. Hold on here. Regarding, OLR-2022-00016, commonly known as Zalyashko-Nail.

ENGE: This is Bryant Enge. I **MOVE** to support staff's recommendation to approve OLR-2022-00016 and the amendment change.

JOHNSON: We have a motion. May I have a second.

WOGEN: This is Eldon. I'll **second**.

JOHNSON: We have a motion and a second. Sonja, will you please take roll call. ‘

ROLL CALL VOTE

HALBERT: AYE
ENGE: AYE
VERANZO: AYE
MORASCH: AYE
WOGEN: AYE
JOHNSON: AYE

JOHNSON: For the record, Aldo Lampson Veranzo's mic was off and he voted AYE so the ayes pass. Motion is carried. With that said, we will conclude that portion of the hearing.

OLD BUSINESS

JOHNSON: And with that said, is there any old business?

NEW BUSINESS

JOHNSON: Is there any new business?

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

JOHNSON: Any comments from the Planning Commission members? You know, I would just like to make --

WISER: Karl.

JOHNSON: Yes.

WISER: Chris Cook wanted to speak to you tonight at the end of the meeting about the “Reply All” method on e-mails. Chris, did you want to speak about that?

COOK: Yes, I would. Thank you very much, Sonja. Commissioner Johnson, is this permissible?

JOHNSON: Sure. I'm not sure what it is, but go ahead.

COOK: This is a simple process request. When you get an e-mail, Commissioners, that goes to a number of people, particularly if it goes to a quorum of the Planning Commission, please don't "Reply All," just reply to Sonja if Sonja is sending it to you and there are a couple of different reasons for that.

One is if anything having to do with business that's any more consequential to your business than, yeah, I will be coming tonight or whatever and you're sending it to a quorum that is potentially an Open Public Meetings Act violation. So don't Reply All.

JOHNSON: So let me clarify this. So the replying all to an -- to an inconsequential, are we going to be at a meeting would be okay?

COOK: That I'm --

JOHNSON: I'm asking -- yeah, I'm asking the -- let me just make sure I'm clarifying my question. That the -- because one of the things I'm trying to do, I want people to know, and again, today I was late.

I was very busy and so one of the things I'm trying to do is to -- and I know I don't -- we don't have much power over this, but I think it's very important that we're here. That we're -- it's good to see there's the public out here.

So any time that the rest of the Commissioners know that if it's possible to be here, I think how I, as the Chair, communicate that to everybody else is critical. I realize that we are not to discuss items in a quorum fashion.

But to answer, this was my problem with that which was all I was saying, and I've only done that once, but, hey, fellow Commissioners, I'll be there and I'll be in person and if that would motivate somebody to here in person, I'm not sure I feel, and I could be wrong, that that violates any open meeting act.

COOK: Karl, you didn't let me finish. That was -- that was what I was going to address next. There are Open Public Meetings Acts considerations and then there are other considerations and just for the sake of clarity among everybody so that we cut down on the number of extraneous e-mails that go out to everybody, please don't Reply All on those either.

Sonja will let everybody know who's coming and the rest of us don't need to see five e-mails about whether one of you has or has not answered Sonja's request. So that's -- that's my -- my ask. And if it comes to Planning Commission business as it did this afternoon when the comments were sent out, absolutely do not Reply All to that ever because that is an OPMA issue. That's all I had to say. Thank you.

JOHNSON: So, again, for clarification, we're not going to send those out, of course, but that meeting question that I had did not -- or the sending out that I'm coming to a meeting a couple of weeks ago, that did not violate an Opens Meeting Act; is that correct?

COOK: I believe that's what I said. That's right, that would be considered a transitory. It's also it's not the conduct of business, particularly.

JOHNSON: Thank you. And that's all I was trying to clarify. All right. So, okay. Is there any other comments? Again, that kind of stole my thunder. I would love to see everybody here if you're able to do it. I think it's important. If you still have to remain remote, I do respect that.

JOHNSON: Is there any questions? This would just be Planning Commission unless you have new business or business of the -- okay. I'll tell you what, ma'am, let me close the meeting and then if there -- you could -- I would love -- if it helps me, I have no problem with that. Okay. All right. Is there anything else from the Commissioners?

ADJOURNMENT

JOHNSON: With that said, we are adjourned. Thank you.

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

Television proceedings can be viewed on CTVTV on the following Web Page at:

<https://www.cvtv.org/program/clark-county-planning-commission>

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