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Clark County Planning Commission

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CLARK COUNTY PLANNING COMMISSION THURSDAY, JUNE 20, 2019 MINUTES OF PUBLIC HEARING

Public Service Center
Council Hearing Room
1300 Franklin Street, 6th Floor
Vancouver, Washington

6:30 p.m.

CALL TO ORDER & ROLL CALL

BARCA: Ladies and gentlemen, I'd like to call this meeting to order of the Clark County Planning Commission for Thursday, June 20th, and we'll start with roll call, please.

JOHNSON: HERE
GRIMWADE: HERE
SWINDELL: HERE
TORRES: HERE
BARCA: HERE
MORASCH: ABSENT

Staff Present: Chris Cook, Chief Deputy Prosecuting Attorney; Oliver Orjiako, Planning Director; Jose Alvarez, Planner III; Sonja Wisner, Program Assistant; Larisa Sidorov, Office Assistant and Cindy Holley, Court Reporter.

GENERAL & NEW BUSINESS

A. Approval of Agenda for June 20, 2019

BARCA: Okay. We will start off with general business. Can I get an approval of tonight's agenda, please.

SWINDELL: I make a **MOTION** we approve the agenda.

JOHNSON: **Second.**

BARCA: Thank you. All those in favor?

EVERYBODY: AYE

B. Approval of Minutes for May 16, 2019

BARCA: Okay. No changes. There we go. And we have the minutes of the Clark County Planning Commission from May 16th, 2019. Are the minutes able to be approved?

GRIMWADE: So **MOVED.**

JOHNSON: Second.

BARCA: Okay. It's been moved and seconded. All those in favor of approving the minutes from May 16th?

EVERYBODY: AYE

C. Communications from the Public

BARCA: There we go. Okay. Great. So this is the part of the meeting this evening where we ask the general public if they have anything to bring before the Planning Commission that is not related to tonight's agenda, this is your opportunity to bring that forward and bring it to the Planning Commission. Is there anybody in the public that has something not related to the agenda this evening? Okay. Seeing none, we will move on.

Planning Commission Opening Statement

BARCA: We have an opening statement that we like to read. We really like to read this. I'm going to start off by asking the Planning Commission if there are any conflicts of interest on tonight, from tonight's agenda? And I see none. Okay.

So, ladies and gentlemen, what we do is we start off with the staff report for each of the agenda items and then the Planning Commission has an opportunity to talk to staff about what has been proposed.

At that point in time, we will then open it up as a public hearing and take testimony from the public in regard to the agenda specifically. We have the discretion to limit the time that each person has for testimony, I don't see any reason why we would need to do that this evening,

but we would ask as you come forward, please state your name for the record, spell your last name and then bring forward whatever testimony you want to speak to.

Anybody who follows, please do not reiterate the exact same items, you can just agree with the speaker before you and we'll just move through the people that way. If you have any exhibits that have not been presented to the Planning Commission already, please pass them up to staff before you start your testimony so we have an opportunity to have them in our hand.

PUBLIC HEARING ITEMS:

A. CPZ2019-00002 NE 152nd Ave.

A proposal to amend the comprehensive plan and zoning from Commercial (CC) to Urban Low (R1-6) on 7.68 acres.

Staff Contact: Jose.Alvarez@clark.wa.gov or (564) 397-4898

BARCA: And I think that's adequate for our opening statement. So we will start the public hearing with CPZ2019-00002, NE 152nd Avenue. Staff report, please.

ALVAREZ: Good evening, Commissioners. Jose Alvarez with Clark County Community Planning.

So the first item before you tonight is, as you mentioned CPZ2019-00002, NE 152nd Avenue. This parcel is designated community commercial and the proposal is to amend the comprehensive plan designation and zone change from community commercial to urban low R1-6 zoning. The property is located along NE 152nd Avenue where this black dot is.

York Elementary School is across the street and fun for -- Fly for Fun Airport is abutting the property to the south. Just show you some of the aerial photos of the site. This is the airport, the elementary school, and again, the community commercial zoning abutting R1-6 to the west, R1-10 to the north and R1-6 to the east.

So this area was brought into the urban growth boundary in 1994 with a commercial comprehensive plan designation and a C-3, now a CC zoning. There's been a significant residential development in this area. The airport to the south is privately owned, it houses 12 single-engine airplanes.

The applicant has received preliminary approval on this site for a RV storage facility that was approved in June of 2018 and it's vested for seven years from preliminary approval that was issued in February of 2018.

You should have received some comments today from some of the neighbors concerned about the abutting zoning to the north with the R1-10 zone and then issues with traffic and overcrowding at the school, so I just wanted to address some of those issues.

The lot size for the R1-6 zone is a range from a minimum, there's an average minimum from 6,000 to 8,000-square feet. How that is developed if it's approved in the future would be done at through the land use development process and so the, what the appearance of the development is going to be whether there's 6 or 8,000-square foot lots on that site would be determined at that time. There's range enough to buffer the parcels, so there are a range from seven to nine lots that could be along 93rd Street, but again that will be something that's reviewed during the development review process.

Additionally, the segment of road on 152nd Avenue between 99th Street to the north and the Padden Parkway to the south is scheduled to be improved as part of the six-year transportation improvement plan, that would complete the build-out of that road segment, it would have two lanes, two travel lanes, one center turn lane and sidewalks on both sides.

The issue with the overcrowding, I had spoken to Sue Steinbrenner this evening, who's representing the Evergreen School District, she had submitted a letter to the applicant letting them know that they do have some overcrowding issues and potential residents and children that are housed in this subdivision may have to be bussed.

In further conversation, the school district is looking at redistribution of their students, they have some schools that have capacity and so they do have some situations where the property owners buy properties abutting a school but don't, aren't able to attend because of overcrowding issues, she wasn't sure if the proposed changes that Evergreen School District is looking at has created additional capacity for the York Elementary School, but she just wanted me to communicate that with the Commission to let you know what's current and we'll follow up with her.

In reviewing the criteria, staff has determined that the applicant has met the criteria for the map changes, A through E, consistency with GMA and countywide policies, the conformance with location, locational criteria, site suitability, the response to better implementing the policy and then sufficient public facilities and services. That concludes staff's presentation. Do you have any questions?

BARCA: Do we have questions for staff?

TORRES: Yes. So talk to me a little bit about the development of 152nd.

ALVAREZ: Okay. So let's see if I -- in our transportation system plan we have on our schedule for the next six years we're looking at improving that section of road from 99th like I said to the north to Padden to the south and so it would be improved.

If this development would go through, they would do their improvement on their property, but the County's prepared to do the improvement on this road segment to bring it to the urban

standards. Right now it's a two-lane road, it doesn't have sidewalks all the way through, so that would be the improvement, in addition there would be a center turn lane.

Looking at some of the transportation analysis, there's a lot of traffic moving south in the morning in the a.m. peak and then a lot of traffic coming from the north to go to the school as well, so that road improvement would provide some better flow having that center turn lane and then the sidewalks.

TORRES: Is that something that would coincide with the development of this or is it a completely separate timetable?

ALVAREZ: Completely separate time. But if the development were to go through and it would happen before, we would require the development to do their share of the road improvement and the sidewalk, their half-width right-of-way improvement.

SWINDELL: Can you show us on the map where that section is. Do you have another map in there that will better show where we're going to develop the road from where anywhere?

ALVAREZ: So from here, 99th Street to here, Padden Parkway.

SWINDELL: Okay. Thanks.

BARCA: The small airport --

ALVAREZ: Yes.

BARCA: -- it has a PF zoning on it that I saw.

ALVAREZ: No. No, that was -- yes, it is. No, that's the school also. Yes.

BARCA: Okay. What would the old designation of that PF zoning be?

SWINDELL: A for airport, isn't it? There's an A on it.

ALVAREZ: So, yeah. So that the comp plan -- so the comp plan designation is public facility and the zoning is airport, that's right.

SWINDELL: Is that public facility or is it privately held?

ALVAREZ: It's privately held, but it's open to the public. Does that make sense?

SWINDELL: No, but okay.

BARCA: Other questions? None at this time.

ALVAREZ: I'll just add one more thing since you brought up the airport and I should have mentioned this earlier. The State of Washington requires us to contact the owners of the airport and there's a letter from the communication we've had with the airport owner, the State wants us to ensure that there's compatibility with the airport seeing all of the residential around it, it was hard to conclude that it was not compatible, the airport owner does, would like us to make a condition and it's in the packet under our recommendations and conclusions that future development put in a clause to let property owners know that they're buying into something located near an airport and there might be some noises and other attributes attributed to an airport next to them.

SWINDELL: Just for clarification, there looks like two parcels there where the A is and then the little square there.

ALVAREZ: Yes, they're both airports.

SWINDELL: That's both airports?

ALVAREZ: Yes.

PUBLIC TESTIMONY

BARCA: Okay. Seeing no more questions for staff, we'll go ahead and we'll open it up to public testimony and we'll start off with Seth Halling.

BREMER: Can we go together? I'm right after him.

BARCA: You are right after him, LeAnne, so please, yeah.

BREMER: We're together. Good evening, Planning Commission. My name's LeAnne Bremer, I'm representing the applicant and with me is Seth Halling from AKS Engineering who put most of the work into the application.

So I just wanted to emphasize a few points in support of this change. I won't repeat everything in the staff report, I thought it was a very detailed and thorough analysis of the five criteria and how this application meets each of the criteria and the comp plan policies.

I just want to emphasis some other things that are in the application. Maybe first I'll just point out a few things that came out in the questioning.

I did, as you can see on the map up there, I did want to point out that where the airport

properties are in relation to the subject site, you'll see that there's actually even lots closer or currently there are lots right up against the airport property.

So as Mr. Alvarez said, there already is residential properties surrounding the airport and this really doesn't change that fact. One thing in the staff report it said that the WSDOT was requesting an aviation easement and that's really not entirely accurate, there won't be an easement in favor of the State, but what the applicant has agreed to is a note on any future plat of the property providing notice to future homeowners that they are next to an airport if it wouldn't be obvious already and that there are impacts, potential impacts that the proximity of the airport to the lots, so we're agreeable to having that notice on any future plat.

And then I, in speaking about the future improvement of 152nd Avenue, it is correct that this is an excerpt from your six-year transportation plan which shows the improvement to that street, I don't -- I think we only have one copy; is that right? Okay. We can just submit a couple into the record.

The significance of that is not just that that road will be improved to accommodate future development and that the applicant when they develop before that project goes in will have to do frontage improvements, but the significance is that that road will still be a collector, and when you look at the locational criteria for community commercial zoning designation it speaks to commercial properties being on the crossroads of arterials, and so that's one reason why this property isn't appropriate for commercial, it doesn't meet that criteria of being on an arterial, and even of future improvements of 152nd it won't become an arterial.

So in the record is an economic study by E.D. Hovee & Associates which really makes a compelling case for why this property is not appropriate for commercial and why it's more appropriate for residential and that speaks to one of the criteria for the comp plan change.

First of all, the property is fairly small and isolated, there's not a whole lot of traffic that goes by it that commercial properties like to have a lot more visibility for the traveling public and the traffic counts are low and don't attract commercial developers and that's evident by the fact that this property's been commercial since 1994, even during this most recent economic activity that's going on in the county, there's just no interest in developing that as with true commercial uses.

And the other thing that the economic development study says is that folks typically shop within a two to four-mile radius from their home and they're in that radius and there's maps and the report it shows that there are shopping opportunities, existing shopping opportunities within that two to four-mile radius and so, yes, if there was something commercial here people would be closer to it, but the habits of shoppers are that they typically do go beyond right next door to shop, they'll go in this two to four-mile radius.

The report also states that the, you know, we are getting away from, there's a lot of online retail activity occurring and that's affecting a lot of these smaller properties. Now, we still need commercial centers in the county, and it's not really a question of either or, we need both commercial and we need residential, they just have to be in the most appropriate spots and this piece, this small piece by itself is not appropriate for commercial, you know, commercial is better when it's all grouped together and so there are areas on Fourth Plain and then Ward Road and where there are commercial centers that serve these, would serve these properties. It's also more appropriate for residential.

According to the report, there's still a demand for housing even with all the growth that's occurring in the county and specifically with this site. The economist looked at the price point for potential houses and that is it's lower than some other areas of the county that would, and this is the demographics of this area is the smaller or is the younger folks with children and, you know, starting in their careers where they need affordable housing and this site is appropriate for that type of housing product.

And so I think with that I will stop, and maybe, Seth, did you want to add anything while you're sitting here?

HALLING: Seth Halling with AKS Engineering. I don't have much to add but wanted to point out --

HOLLEY: Spell your last name, please.

HALLING: Halling, H-a-l-l-i-n-g. And I just wanted to point out in regard to the six-year transportation improvement plan that 152nd Avenue improvements, one of the public comments that was received was in regard to pedestrian safety and when the County improves that section, there also will be improvements to the crosswalks there near the school, so that will be one aspect which improves the pedestrian safety.

And then I also wanted to point out, as far as the commercial at this location, you know, the traffic counts that were taken, they averaged approximately 7,000 average daily trips on 152nd in front of this site, the former Albertsons site averaged almost double that and they still have vacancies there and have for some time, and I think that just shows the additional support that this area is not well-suited for a commercial use at this time. And with that I'd be happy to answer any questions.

GRIMWADE: I've got a couple of questions. What consultation did you as the applicant's planners have with the school district?

HALLING: So we reached out to the school district just for the general, you know, is there capacity for the students as well as whether or not they would be bussed or would be walking,

you know, to look at the safe routes to school, their response, as Mr. Alvarez summarized with his conversation with Ms. Steinbrenner, was that there was, that they're near capacity at the adjacent school; however, that there, that we would just be, should be on notice that there may be the need to, students may be bussed to other locations.

GRIMWADE: Okay. The other question I have for staff.

SWINDELL: There's a preliminary approval for what was it again, RV storage?

BREMER: Yes.

SWINDELL: I'm just curious, is that not a viable opportunity there or I'm just curious?

BREMER: Well, it's an approved, it's an approved project, it's an option if for instance this doesn't go through for some reason, it's just the owner feels that the residential makes more sense.

HALLING: One other point in that regard that in the time during the application and review for the RV storage facility there are numerous applications for other storage facilities that were received by the County and the City of Vancouver and so we felt that, you know, that there is a possibility of over saturation of that use and with, you know, we felt this location was not a prime location for it, but due to not ready available supply of RV storage that it may be suitable; however, after the other applications came about we, you know, had changed that and at this time, you know, felt that it was better suited to residential.

BARCA: Thank you.

BREMER: Thank you.

BARCA: Next up looks like Shane, is it Tapani? Shane, did I get it wrong?

TAPANI: I thought we had to sign in, I'll pass.

BARCA: Of course, that's your choice. All right. But I got your name right?

TAPANI: Yeah.

BARCA: All right. Well, at this point in time that is all that is signed up for this particular application which is NE 152nd Avenue. If there's anybody in the audience that would wish to come forward and speak on this particular application, please feel free to come forward. And seeing nobody coming forward, I guess we will close out public testimony and bring it back to Planning Commission. Do we have more questions for staff?

Return to Planning Commission

GRIMWADE: Yeah, I just had one question. If this was to go to residential, what's the closest park for children of this residential development to go to?

BARCA: Right down there in the corner.

ALVAREZ: There are, there were two, one, yeah, here, there's the school facility and I think there's one to the west or to the east that's either being built or recently built.

GRIMWADE: Within a five-minute walk, ten-minute walk?

ALVAREZ: 10 to 15, yeah, within walking distance there were a couple.

SWINDELL: And just and I guess just an overview with that size of property, about 34 homes maybe is what we're thinking?

ALVAREZ: 35 to 40. 45 to 40.

BARCA: Do we have more discussion? Any thoughts we want to get out on the table before we put a motion forward?

SWINDELL: Well, I'll just say that I never like giving up any type of land that's going to produce jobs potentially, but in this instance it, to me, just it really doesn't make a lot of sense where it's at, so...

TORRES: You know, I think I'll piggyback on that, I'm pretty familiar with this area. I don't live there anywhere near, but I've patrolled there quite a bit and knowing that the Albertsons lot has been empty for so long and then the other one up towards Ward Road, I agree it doesn't really make sense to have it as a commercial zone.

JOHNSON: Yeah. The Albertsons plays in my mind, it's been sitting there. And, you know, it's always, it's always good to keep close to schools, houses close to schools. As a teacher, you know, as long as we're taking care of the mitigating the road and the crossing into York and the school district is saying, look, we're going to have to be moving kids around anyways, I'm all for it.

GRIMWADE: Yeah, I share your sentiments too. I don't think it would be a viable commercial location in today's age if the way commerce is going. I think residential is perhaps the most appropriate use subject to the necessary mitigation improvements along the roadways.

Also recognizing the importance that those children will need access to green space for recreation and I think it would be appropriate for the residential development to sort of replicate the character and size of the neighboring allotments so it's not an intensely overdeveloped area.

BARCA: Okay. So I'm going to give you an alternate thought process here. We are taking 152nd and seeing two separate requests on 152nd this evening and whenever we divide up these regions into individual lots, they look different, they look like they are not interdependent on anything, but as I look at the way 152nd is going and that we have staff reports that are in favor of one against another one, the reasoning appears like it could be valid in both cases in either direction and what I see right now is a commercial facility that has another development opportunity on it and commercial redevelopment does happen. Once residential is put in place, it's residential.

If we don't find the highest and best use, the property is still in commercial and has ongoing job generating potential. I think as I see it almost everything that we're dealing with is this particular point in time we've had testimony that at this time this appears like the way that it is, but once you take this out of the inventory, it's out of the inventory.

Both CDERC (sic) and the City of Vancouver cautioned against the idea of the loss of job generating inventory without some mechanism to replace that which we don't really have in place short of comprehensive plan amendments where we add more land back in. So residential demand is really high right now and this area hasn't developed the density requirements for job generating facilities, and it's certainly not in the form of retail, but there are other options and I guess the way that I look at it is really in the context of long-range planning.

One of the things that we don't do well is protect the job generating inventory as well as we're able to understand the demand, and there's a great demand, there's a lot of pressure on building more houses, and I get that, but if I just go up 152nd and come to our next docket item, we're going to have a dramatically different story and I'm not sure that the circumstances are so dramatically different.

So I understand why there is a request. I certainly understand why the demand is there. I'm thinking about it perhaps maybe in a longer range where we're not facilitating immediate turnover and making the inventory available for residential. We're looking at having that inventory available for future consideration, so that's my thought. And if there's no more deliberation, we can take a motion.

JOHNSON: I make a **MOTION** to accept staff's request on CPZ2019-00002 NE 152nd Avenue.

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

BARCA: Okay. There's been a motion and it's been seconded. Okay. Do roll call.

ROLL CALL VOTE

JOHNSON: AYE
GRIMWADE: AYE
SWINDELL: AYE
TORRES: AYE
BARCA: NO

BARCA: And motion passes 4 to 1. And we are going to move on to the next agenda item which is Riverview Assets, CPZ2019-00003, staff report, please.

PUBLIC HEARING ITEMS, continued

B. CPZ2019-00003 Riverview Asset

A proposal to amend the comprehensive plan and zoning, on two parcels totaling 60 acres, from Industrial (BP) to Urban Low (R1-10) on 50 acres and Commercial (CC) on 10 acres.

Staff Contact: Jose.Alvarez@clark.wa.gov or (564) 397-4898

ALVAREZ: Thank you, Chair Barca. So the next item is a request just north of the last on NE 152nd north of 99th Street.

The request here is to amend the comprehensive plan on 60 acres from industrial with business park BP zoning to urban low density residential with R1-10 zoning on 50 acres and commercial with community commercial zoning on 10 acres fronting NE 152nd and I will show you a map of the proposal.

Again, this is 99th Street, 119th Street, NE 152nd and the site here is here. The aerial, the property to the north is 40 acres is also zoned industrial and this property is approximately 20 acres also zoned industrial and is owned by the Battle Ground School District.

So to the west the property is zoned R1-5, to the east across 152nd is zoned R1-6, AG-20 to the north, northeast, so we're at the edge of the urban growth boundary, and then to the south is R1-10, I believe that's Cherry Park.

So the applicant submitted a similar request in 2017 to amend the current designation to urban low R1-6 on at that point included the school site and then the 60 acres and I think there was a proposal for one acre to remain commercial to try to have some employment opportunity.