

July 27, 2020

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VIA EMAIL

Clark County Historic Preservation
Commission
Public Service Center
1300 Franklin St., 6th floor
Vancouver, Washington 98660

Eric J. Holmes
City Manager
City of Vancouver, City Hall
415 W. 6th St., 2nd floor
Vancouver, Washington 98660

Anne McEnery-Ogle, Mayor
Councilmembers
City of Vancouver, City Hall
415 W. 6th St., 2nd floor
Vancouver, Washington 98660

RE: Aegis at Providence Academy Phase II and its required demolition of the historic
Academy laundry and boiler buildings
Our File No.: 136225-253886

Dear Commissioners, City Manager Holmes, Mayor McEnery-Ogle and Councilmembers:

At the outset, let me apologize for the length of this letter; it is necessary to express my strong concerns regarding the manner in which the City has reviewed Phase II of Aegis at Providence Academy (Phase II). To date, the City has not followed prescribed processes and, in failing to do so, has stifled public participation. The focus of my concerns are: (1) Phase II's dependence on the demolition of the Providence Academy historic laundry and boiler buildings and the irreparable effect Phase II will have on the openness of the Academy grounds; (2) the failure of the City to fulfill the goal of the Development Code to maximize citizen participation; and (3) the failure of the City to comply with SEPA's requirement that interdependent projects (in this case, Phase II and the demolition of historic buildings on which it depends) be analyzed as one course of action. In addition, Phase II proposes substantial changes to Phase I requiring a new application for Phase I.

I. Summary

- Phase II depends on demolition of the historic laundry and boiler buildings. This dependence results in the following requirements which have not been satisfied:

- The requirement under SEPA to consider historic building demolition as a component of the Phase II project in assessing whether the overall project constitutes a SEPA planned action¹.
- The need to consider the entire Phase II project including demolition of the historic buildings in assessing the cost and feasibility of repairing the historic buildings.
- The City has completely excluded the public from the process of reviewing Phase II and its required demolition of historic buildings by inappropriately and prematurely classifying it as a planned action, with the result that the application is processed as a Type I application. The consequences of designating it as a Type I application are dramatic: there is no public notice, no comment period, no hearing, and no appeal available to the public. The only opportunity for public involvement the City envisions are “courtesy” staff presentations to the Building Fire Codes Commission (BFCC) and to the Clark County Historic Preservation Commission (HPC). The staff report to the BFCC did not address the need for or appropriateness of demolition; nor do staff intend to address this question before the HPC.
- Neither Phase II nor the demolition of the historic buildings qualifies as a planned action.
- The HPC must approve a demolition permit. It must also review a new application for Phase I.
- Phase II proposes substantial changes to Phase I. As a result, a new application for Phase I is required.

II. Requests

- As required by SEPA, review Phase II and the demolition of the laundry and boiler buildings as a single project.
- Process the single project (Phase II and the required demolition of the historic buildings) as a Type II land use application.
- Unless the City intends to order demolition of the historic buildings, which I trust it will not do, require the applicant, Marathon Acquisition & Development, Inc. (Marathon) to comply with VMC 20.510.050.A.3.b, with particular emphasis on the required analysis of reasonable economic alternatives to demolition including redevelopment of the buildings in their present location in conjunction with the Phase II development.
- The HPC should make clear to the City that it expects any demolition permit to come before it for approval (VMC 20.510.040) and that it expects to review the new

¹¹ As relevant in this case, the SEPA rules define a planned action as a project action that is designated as a planned action by City ordinance or resolution; has had the significant adverse impacts adequately addressed in an EIS prepared in conjunction with a subarea plan adopted under the GMA or is an implementing project for that subarea plan; is located in a urban growth area; and is consistent with the City’s comprehensive plan. WAC 197-11-164. The City’s planned action determination criteria are found in VMC 20.790.530.

application for Phase I resulting from the substantial changes to Phase I required by Phase II.

- Require Marathon to submit a new application for Phase I.

III. Background

Phase II is located on the Providence Academy site (Academy Site) which has been designated as an historic place on the National Register of Historic Places (National Register). Recognizing its historic and cultural significance, the City designated the Academy Site as Heritage Overlay District Number One. VMC 20.510.020. The Academy itself is the dominant landmark and most important historic building in downtown Vancouver. The Academy's out buildings and grounds are important historical and architectural features because of their relationship to the main building and their influence on views of the main building and the character of the immediate environs. *Id.* The grounds are identified in the nomination of the Academy Site for the National Register as just as significant as the Academy building. While part of the grounds has been paved, the grounds retain their open character and the potential for restoration. If Phase II is built on the grounds, this defining characteristic will be completely and permanently lost.

As discussed in more detail below, Marathon contends that Phase II is infeasible without demolition of the historic laundry and boiler buildings. Their demolition unquestionably detracts from the character of the Academy Site. Because the site itself - and not simply its individual buildings - is designated on the National Register, demolition of the buildings may ultimately jeopardize designation of the Academy Site and the protection it affords the Academy building. Consequently, the process the City follows to consider their demolition must be transparent, available to the public, and accountable.

IV. Marathon Contends that Phase II is Economically Infeasible Without Demolition of Laundry and Boiler Buildings

A. Phase II Requires Demolition

In records obtained through public records requests, Marathon contends that Phase II is economically infeasible without demolition of the historic laundry and boiler buildings and that Marathon believes that neither the HPC nor the City Council would approve their demolition. Therefore, Marathon has been working for more than 3 years to devise a process for their demolition that will avoid HPC jurisdiction. That path would have the Building Official (BO) order their demolition. VMC 20.510.050.A.3.a. However, to date, Community and Economic staff (CED) have clearly not wanted to be in the position of ordering their demolition.

- As early as June 12, 2017, Marathon began discussing with staff how to avoid HPC review. This stratagem would require the BO to order their demolition. If Marathon or the property owner, The Historic Trust (The Trust), were to apply for a demolition permit, HPC approval would be required. VMC 20.510.040. *See, Attachment 1*, June 12, 2017 email from Aaron Wigod (Wigod), Marathon, to Jon Wagner, CED ("Please confirm that if the buildings are deemed unsafe and slated for demolition by the City Building Official, then we need not ...apply[] for demolition.") The email goes on to state that if that were to occur, Marathon would not need to adhere to the "cumbersome requirements" of VMC

20.510.050.A.3.c and 20.510.050.A.3.d, including providing public notice.² The email seeks confirmation that the HPC will have no approval authority (“It is critically important that we know the CCHPC’s authority and in turn, planning and review risk, for the new development.”). It closes with the observation that the City designating the buildings unsafe will bolster the argument for their removal.

- In May 2018, The Trust met with CED to discuss safety concerns related to the laundry and boiler buildings as well as the smokestack. *See, Attachment 2*, August 29, 2019 letter from the BO, Sree Thirunagari (Thirunagari), to The Trust and Academy Development LLC (for simplicity’s purposes referred to herein as Marathon). That meeting resulted in the August, 2019 letter from the BO directing The Trust and Marathon, by March 1, 2020, to submit a building permit application for repair of the structures or obtain demolition permits. *Id.*³
- In October 2019 Aaron Wigod advised Keith Jones (Jones), CED, that he had understood that the BO had already determined the laundry and boiler buildings to be unfit (and, by implication, would order their demolition) and advised that “If demolition is in the hands of the HPC and an appeal to City Council, I need to seriously consider abandoning the project because I don’t think we will get approval.” *See, Attachment 3*, October 23, 2019 email from Wigod to Jones.
- On December 11, 2019 Aaron Wigod requested simultaneous processes for the laundry and boiler buildings and the Phase II land use application. *See, Attachment 6*, December 11, 2019 email from Wigod to Thirunagari.
- On December 12, 2019 The Trust, as owner, requested that the BO determine the laundry and boiler buildings unfit (and, by implication, order their demolition). But CED clearly does not want to be in the position of ordering demolition. *See, Attachment 4*, April 7, 2020 email from Jason Nortz (Nortz), CED, to Thirunagari. (“[W]e need to make an official determination on “unfit” status so we can put the Trust on the clock for demo permit application or building permit to remodel. I’m thinking the official determination should be made after we take to HPC”) and May 14, 2020 email from Nortz to Alison Moss (Moss).
- Marathon’s April, 2020 SEPA environmental checklist explains that it expects the City to deem the structures unfit and approve a demolition permit and that it expects Phase II to be conditioned upon approval of that permit. *See, Attachment 5*, April, 2020 environmental checklist.

² Demolition that requires approval by the HPC must be noticed under VMC 20.510.050.A.3.c.1, including placing a legal notice in the local newspaper and mailing to all property owners within 500 feet of the site. The HPC’s decision may be appealed to the City Council. VMC 20.510.040.

³ The BO subsequently extended that deadline due to the coronavirus pandemic.

B. Because Phase II is Dependent Upon Demolition of the Historic Laundry and Boiler Buildings, Their Demolition Must be Considered Part of the Proposal for Purposes of SEPA

The City must make certain that the proposal that is the subject of environmental review under SEPA is properly defined. WAC 197-11-060(3)(a).⁴ Proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action must be evaluated in the same environmental document. WAC 197-11-060(3)(b). Proposals are closely related if one proposal cannot or will not proceed unless the other proposal is implemented simultaneously. WAC 197-11-060(3)(b)(i).

As discussed above, Marathon contends that Phase II is dependent upon the demolition of the historic laundry and boiler buildings. CED apparently has accepted Marathon's contention. *See, Attachment 6*, CED's Final Pre-Application Conference Notes, page 3 (the process for demolition of these historic structures must be completed before Phase II can be approved as proposed). Consequently, demolition must be evaluated in the same environmental document and environmental determination as Phase II. Because the projects are located within the geographic scope of the Vancouver City Center Vision (VCCV) planned action, the SEPA determination is whether they meet all 10 standards for qualifying as a planned action. But, CED is not considering them as a single course of action. Rather, it intends to make two separate SEPA planned action determinations. *Attachment 6*, CED Final Pre-Application Notes, p. 15. This process violates the SEPA rules and constitutes impermissible piecemealing of proposals which are manifestly a single course of action.

I ask that the City Manager direct CED to process Phase II and the demolition of the historic laundry and boiler buildings on which it is premised as a single project under the Type II land use application procedures as discussed below.

C. The Building Official's Determination is a 2-Step Process which Should Consider Phase II and Historic Building Demolition Together in Determining the Outcome of an "Unfit" Determination

The BO's review of The Trust's request that the BO find the historic laundry and boiler buildings "unfit" is a 2-step process. First, the BO must determine if the buildings are unfit for human habitation or other uses. Then, if the BO does determine them to be unfit he/she may require them to be repaired, vacated or demolished. VMC 17.32.060. In short, an unfit determination does not automatically result in demolition.

One of the factors the BO must consider is determining whether a building should be repaired or demolished is the relationship that the estimated cost of repair bears to the value of the building or premises. VMC 17.32.060.A.2. The Trust commissioned an analysis by Meritus Consulting of the cost and feasibility of rehabilitating the laundry and boiler buildings individually as stand-alone projects and not as part of the overall Phase II project. In light of the fact that Marathon contends that demolition is a necessary component of Phase II, in determining this cost relationship, the City must consider the entire project including the proposed construction of 266

⁴ The City adopted WAC 197-11-060 by reference. VMC 20.790.110.

dwelling units⁵ and an approximately 88,000 ft.² parking garage. This analysis has not been done. I strongly suspect that the incremental impact of repairing the laundry and boiler buildings as part of an overall development would be negligible and that the entire project could be financed and provide a reasonable return. It is misdirection at best, to analyze only the per square foot cost of repairing the laundry and boiler buildings as stand-alone structures.

More importantly, the BO should not order demolition of the historic buildings. If the BO does not order demolition, Marathon or The Trust must apply for a demolition permit which is subject to all of the standards in VMC 20.510.050.A.3.b. VMC 20.510.050.A.3.b.ix requires an analysis of reasonable economic alternatives to demolition including redevelopment of the buildings in their present location in conjunction with new development on the balance of the site, i.e. in conjunction with Phase II and arguably Phase I as well.

In determining the ultimate outcome of an “unfit” determination, the City should bear in mind the purpose of Chapter 17.32 VMC: to provide a just, equitable and practicable method by which structures which are unfit may be required to be repaired, vacated or demolished. It would not be “just” for the City to order demolition of nationally and locally recognized cultural heritage resources when it has not first attempted to save those resources. I ask that the City require Marathon to come back with a feasibility study of the whole project in 2 scenarios (1) with demolition of these buildings and (2) with their repair. This information will allow the City to make an informed determination regarding whether preservation and repair constitutes a hardship.

V. The Process Impermissibly Excludes the Public

A. CED is Incorrectly Processing Phase II as a Type I Application

Phase II requires Site Plan Review and Design Review, both of which are Type II decisions made by the Planning Official, with public notice and comment and the opportunity to appeal to the Hearing Examiner. VMC 20.210.020.B.2 and 20.210.020.C. However, even though it may require these approvals, a project which qualifies as a planned action is processed under the Type I process. VMC 20.270.020.C.7.

CED has not yet made a determination regarding whether Phase II is a planned action project. See, **Attachment 8**, May 5, 2020 email from Jones to Moss; May 18, 2020 email from Nortz to Moss. In fact, it cannot determine that Phase II is a planned action project until it has determined that the application is fully-complete under VMC 20.210.100 and the applicant has provided all of the information necessary to evaluate its qualification as a planned action. VMC 20.790.530.C. In turn, CED will not make the “fully-complete” determination until the BO has completed his “unfit” determination. See, **Attachment 8**, May 5, 2020 email from Jones to Moss.

CED intends to make all 3 decisions – the “unfit” determination, the application completeness determination and the planned action decision - after it conducts a “courtesy consultation” with the HPC over mitigation measures Marathon has proposed for demolition of the historic buildings. See, **Attachment 4**, May 14, 2020 email from Nortz to Moss and **Attachment 8**, May 5, 2020

⁵ It is my understanding that this number has been reduced somewhat as a result of adjusting the view corridor from E. 12th Street.

email from Jones to Moss and May 18, 2020 email from Nortz to Moss. At this point the earliest the HPC “courtesy consultation” can occur is early August.

Nevertheless, even before Marathon had submitted an application, Staff advised it that Phase II is a Type I application. **Attachment 9**, February 18, 2020 email from Jones to Mike Odren (for Marathon). Despite our objections that its Type I determination is at best quite premature, CED has continued to process Phase II as a Type I application, with significant negative consequences for public participation, transparency and accountability. It bears repeating that Type I applications are decided by the Planning Official without public notice prior to the decision; without a public comment period; without a public hearing; and restricting the opportunity to appeal to the applicant and property owner. VMC 20.210.020.B.1 and 20.210.130.B.1.

Further stifling accessibility and accountability, CED has repeatedly refused to make me a party of record. CED did so based on its determination that it would classify the application as a Type I application (when it received the application at some point in the future). *See, Attachment 9*, March 31, 2020 email from Jones to Moss and **Attachment 8**, May 5, 2020 email from Jones to Moss. In fact, I only learned that Marathon had submitted its Phase II application by persistently asking for updates.

This process contravenes not only the letter of the Code, but also its spirit and intent to maximize public participation. VMC 20.110.010.B.1. I ask that the City Manager direct CED to process Phase II and the “unfit”/demolition vs. repair determination as one project under the Type II process as CED should have done at the outset.

B. CED is Processing the Unfit/Demolition/Repair Determination as an Administrative Determination with No Public Process

Similarly, CED is processing The Trust’s request that the BO determine the laundry and boiler buildings unfit⁶ as an administrative decision. This means that there will be no public notice prior to the BO’s decision; no public comment period; and no opportunity for an administrative appeal. As with Phase II, CED intends to make its determination regarding whether demolition of the historic buildings qualifies as a SEPA planned action entirely administratively with no opportunity for public input.

VI. Based on Information Available to Date, Neither Phase II Nor Demolition of the Historic Buildings Qualifies as a Planned Action

It is unlikely that demolition of the historic buildings can qualify as a planned action. To make a determination that demolition is a planned action, the SEPA Responsible Official must make 10 findings, including: (a) the demolition’s environmental impacts, both project specific and cumulative, have been adequately addressed and analyzed in the subarea plan and environmental impact statement (EIS) for the planned action subarea; and (b) the demolition’s significant adverse environmental impacts will be adequately mitigated or avoided through application of the

⁶ While CED acknowledges that Ch. 17.32 VMC authorizes the BO to require repair, The Trust, Marathon, and CED all clearly assume that demolition, not repair, will be the outcome. *See, Attachment 8*, May 18, 2020 email from Nortz to Moss (if the BO determines the buildings are unfit, it would require the applicant to provide mitigation measures to address the impact regarding the loss of those structures.)

mitigation measures or other conditions required by the planned action ordinance, subarea plan or EIS. VMC 20.790.530.D.4 and.6.

I have found no analysis of the indirect impacts of demolishing the laundry and boiler buildings or cumulative impacts of their demolition on the Academy site and Vancouver City Center subarea. I asked CED, if there is any such analysis, to provide it. *See, Attachment 7*, May 19, 2020 email from Moss to Nortz. Mr. Nortz simply responded that CED “will make a finding” after receiving input from the HPC (restricted to input on mitigation for their demolition) and BFCC (restricted to the BO’s preliminary “unfit” determination but not the ultimate outcome of that determination, i.e. repair vs. demolition). *See, Attachment 7*, May 21, 2020 email from Nortz to Moss. Making matters worse, as explained above, CED intends to make this determination as an administrative determination with no public notice, no opportunity for public comment on whether the planned action EIS, in fact, addresses the direct, indirect and cumulative impacts of demolition of historic structures and requires mitigation measures that will adequately mitigate or avoid the disclosed impacts, and no opportunity for any member of the public to appeal its determination.

Marathon proposes as mitigation for loss of these historic structures to document the buildings and their architect, provide historical interpretation of the site and buildings in exhibits at a to-be-planned Interpretive Center in the Academy, provide information regarding the historic significance of the site on The Trust’s website and retain representative samples of building materials. These measures will, of course, be woefully inadequate should demolition of these historic buildings and the loss of the openness of the grounds result in de-listing of the Academy Site on the National Register and its potential loss to the community.

VII. Phase II Proposes Substantial Changes to Phase I

Phase II proposes to place a significant number of dwelling units (all of Building C⁷) on Parcel 4, which is located within Phase I and relocate a substantial portion of the parking approved for Phase I to Phase II. *See, Attachment 10*, September 24, 2019 email from Wigod to Jones. These revisions to Phase I are unquestionably a substantial change to the nature of Phase I and cannot be processed as a post-decision review. They require a new application and, therefore, review by the HPC. VMC 20.210.140.A; VMC 20.510.030.

Thank you for your attention to the concerns I have expressed. I believe that the requests are reasonable and look forward to your response. I would be happy to discuss these important issues with you at your convenience.

Sincerely,



Alison Moss

⁷ Originally, a portion of Building D was also located on Parcel 4; however Marathon eliminated the pathway between Buildings C and D and shifted Building C to the east to enlarge the view corridor from E. 12th St.

ATTACHMENT 1

From: [Aaron M. Wigod](#)
To: [Wagner, Jon](#)
Cc: ["Mike True"](#); ["Jessica Engeman"](#); [Thirunagari, Sree](#)
Subject: Academy - Demolition 2
Date: Monday, June 12, 2017 5:21:43 PM

Hi Jon:

I have reviewed what I believe are all of the relevant code sections on this topic. I have a few questions/requests....

1. VMC 20.510.050 (A)(3) provides in part that a structure on the National Register shall not be demolished except in two manners (20.510.050 (A)(3)(a) & (b)). Subsection (a) is "Demolition of Unsafe Buildings" which requires a determination that the structures are unsafe/unfit pursuant to the Abatement of Dangerous Buildings Code. Subsection B is "Demolition of Other Buildings..." which requires an application for demolition and a report demonstrating that preservation of the buildings will "impose an economic hardship upon the owner, rendering it impractical to renovate, restore, or reuse the structure".
 - a. My reading of the code is that those two manners (Subsections (a) & (b)) are distinct avenues for gaining permission for demolition. I arrive at that conclusion because Subsection (b) refers to "other buildings" as in buildings that have not been deemed unsafe in accordance with Subsection (a). I also arrive at that conclusion because many of the requirements of Subsection (b) relate to a viable structures - in other words structures that have not been deemed unsafe. Lastly, Subsection (a) relates to demolition of structures the City seems unsafe unlike the provisions of Subsection (b) that address a third party application to demolish structures.
 - b. Please confirm that if the buildings are deemed unsafe and slated for demolition by the City Building Official, then we need not comply with Subsection (b) by applying for demolition.
2. I don't think we don't need to comply with Subsection (b) for the reasons above. If that's correct, I also don't think we need to comply with Subsection (c) and (d) as those sections all deal with processing a third party application for demolition, not demolition stemming from the City deeming the structures unsafe. In that case we won't need to adhere to the cumbersome requirements of Subsection (c) and (d), including providing public notice.
3. VMC 20.510.040 provides in part that demolition of buildings on the National Register are "subject to approval by the CCHPC, subject to appeal to the City Council, as provided herein."
 - a. This section seems to be in conflict with VMC 20.510.050 (A)(3)(a) from a practical standpoint. If the City Building Official deems the structures unsafe, what will the City then do with structures that are deemed unsafe but the CCHPC won't approve for demolition? Is your reading that his would be resolved by City Council? It seems like VMC 20.510.050 (A)(3)(a) and VMC 20.510.040 conflict.
4. VMC 17.32.020 provides "just, equitable and practicable method" by which "buildings, structures, and premises or portions thereof which are unfit for other uses due to dilapidation, disrepair, structural defects, defects increasing the hazards of fire, accidents, or other calamities,or which from any other cause endanger the life, limb, health, property, safety or welfare of the general public may be required to be repaired, vacated or demolished." VMC 17.32.040 then provides that a "structure which has any or all of the conditions or defects described in this section shall be deemed to be an unfit dwelling, building or structure, provided that such conditions or defects exist to the extent that the life, health,

property or safety of the public is endangered". VMC 17.32.040 continues providing a long list of conditions and defects.

- a. I believe we need Sree to analyze these conditions and defects relative to the subject structures and determine if the structures should be deemed unsafe/unfit and in turn the City should require that the structures be demolished. Frankly, almost every condition on the list exists for the Laundry and Boiler Buildings. The Smokestack is in better condition but from a lay perspective seems to have the conditions in VMC 17.32.040 D, F, G, and J. Maybe Subsection O as well.
 - b. Also, our structural engineer, upon cursory review, stated that the Boiler Building was likely built as a buttress to the smokestack and therefore if the Boiler Building is structurally compromised, which is clearly the case, the smokestack is likely compromised without a sufficient replacement buttress. Thus, it may be that the failure of the Boiler Building necessitates the demise of the Smokestack.
5. In addition to Sree analyzing VMC 17.32, I think we need to know soon if he, or someone else in the City, can make the determination that these structures are unsafe without a third party engineering report. Such a report will take a significant amount of time to obtain.
 6. Lastly, I'd like to confirm the review authority of the CCHPC assuming we get past demolition and we eventually propose a new construction development for the site. VMC 20.510.030 provides the "Review Process" for "New Construction" and it states in part that "the Planning Official shall consult with the CCHPC on any new construction project within a Heritage Overlay District." Therefore, please confirm that we do not need the CCHPC's approval of the new construction, or in other words, approval of the new construction's subjective compliance with the Heritage Overlay. Please confirm the new development will be a standard planning approval process during which the Planning Official needs to consult with the commission. **It is critically important that we know the CCHPC's authority and in turn, planning review risk, for the new development.** Also, if there is any specific procedure we must follow, like presentation to the commission, notice, etc, please let me know those exact procedures.

Note that even if the City deems the structures unsafe and therefore in my opinion we do not need to comply with VMC 20.510.050 (A)(3) (b)-(d), we will still offer documentation mitigation and give the commission as much information as possible. Between now and the meeting with the CCHPC we will also look into mitigation through reuse of the materials from the demolished structures and/or even attempting to save a façade of one of the structures. It is not our intent to use a designation that the buildings are unsafe to usurp the CCHPC. **We just don't believe there is an economically viable option for preserving the structures and the City designating the buildings unsafe will bolster the argument for their removal.** The City designating the buildings unsafe will also save time by avoiding the VMC 20.510.050 (A)(3)(b)-(d).

Let me know if you have questions. We can discuss further on Thursday. Thanks

Aaron M. Wigod
Marathon Acquisition & Development
30050 SW Town Center Loop West, Suite 200
Wilsonville, Oregon 97070
Phone: (503) 582-8442
Fax: (503) 582-8383

ATTACHMENT 2



P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

August 28th, 2019

The Historic Trust
750 Anderson Street
Vancouver, WA
98661

Academy Development LLC
750 Anderson Street
Vancouver, WA
98661

RE: Action required to address structural condition of Laundry and Boiler Buildings, and the Smokestack.

Background

In May 2018, The Historic Trust and City of Vancouver Community and Economic Development met to discuss safety concerns relating to the vacant Laundry and Boiler Buildings, and the Smokestack located on the Academy site (Assessor parcel ID 39220001). Following the initial meeting in May 2018, engineering assessments and test reports listed below were submitted to the City.

- Investigation report by TM Rippey Consulting Engineers, dated July 29, 2019.
- Investigation and test reports by Olson Engineering, dated April 29th, 2019.
- Test reports prepared by Carlson Testing, Inc., dated May 23rd, 2019.

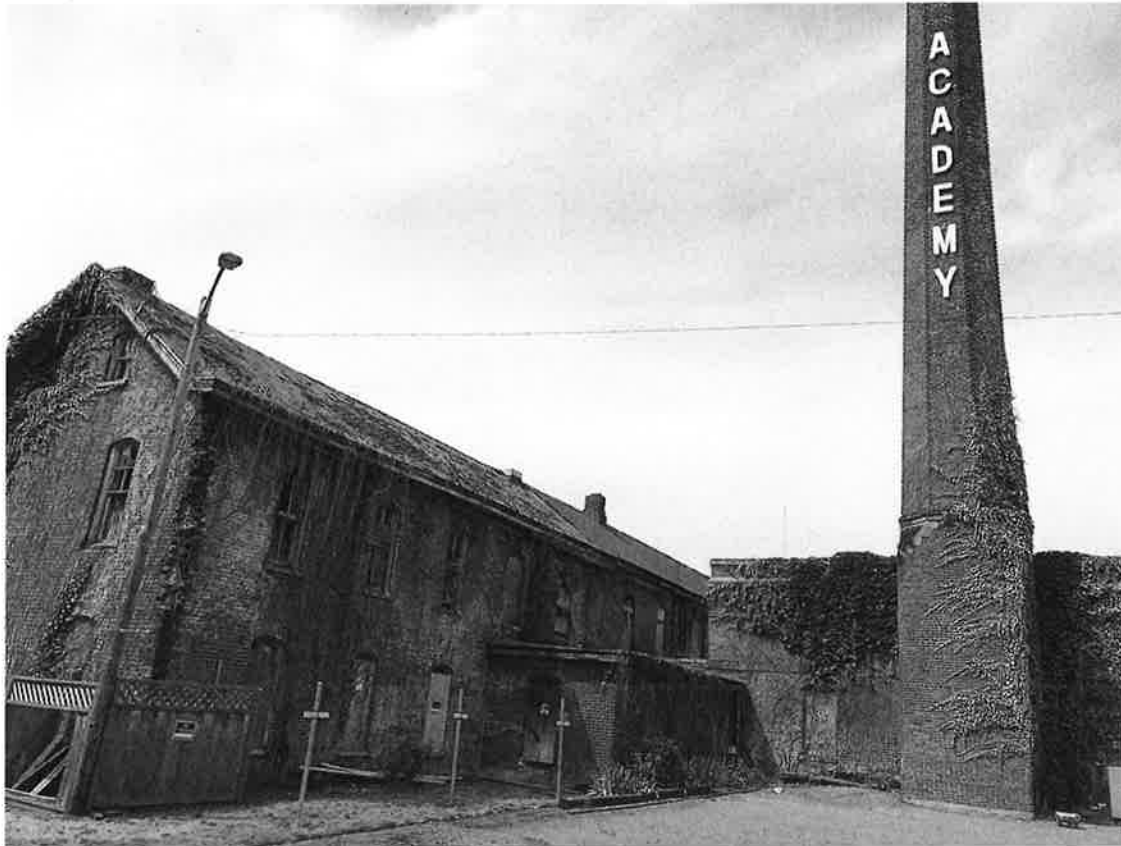
Upon reviewing the reports and consulting with City's third-party consulting engineer, as Building Official of the City, I have made a determination that the structural condition of all three structures must be addressed as outlined below.

Laundry Building: This is a two-story structure with masonry exterior walls. With holes in the roof and openings in the building exterior, the building's interior has been exposed to the elements for many years. Roof and floor assemblies have deteriorated to the extent that significant portions of floor and roof have collapsed. Portions of the exterior masonry walls show signs of severe deterioration. An area at southeast section of the building has been cordoned due to loose bricks from the building falling to the ground.

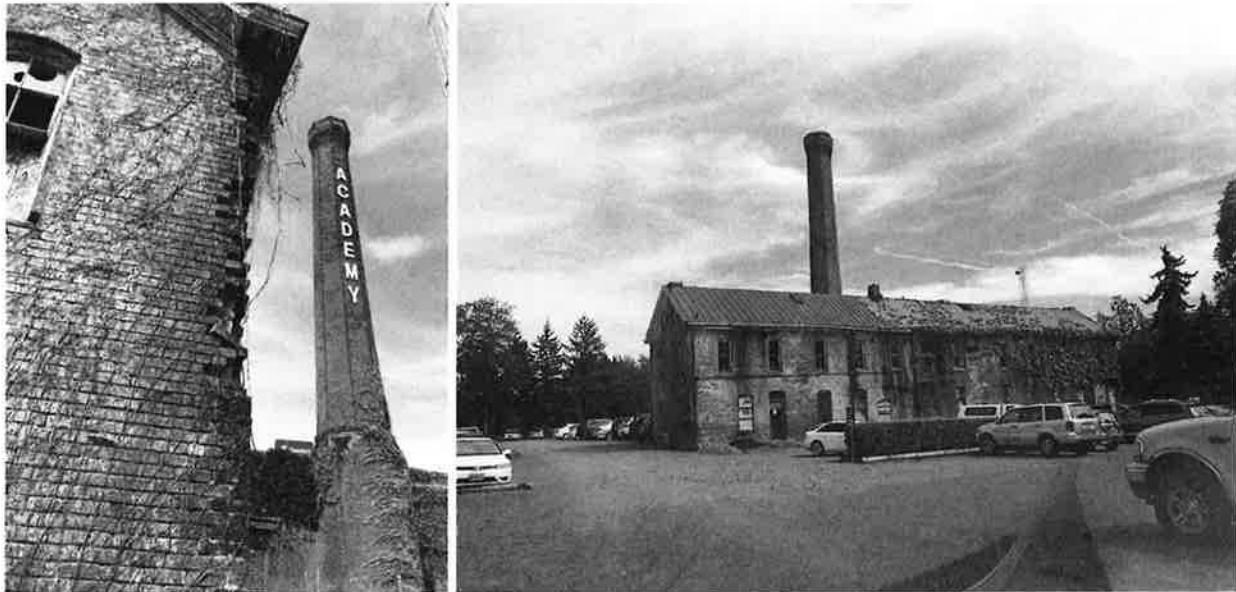
Boiler Building: It is a one-and-one-half story structure with masonry exterior walls. Similar to the Laundry building, the Boiler building is in severe disrepair. The roof assembly is nonexistent and the masonry shell is showing signs of severe structural deterioration.

Smokestack: The structure is approximately 80' tall and is located on the south wall of the Boiler building. The structural connection between the Boiler building and the Smokestack shows signs of severe deterioration and failure. Furthermore, lack of roof structure over the Boiler building limits

its capacity to function as a buttress for the Smokestack. Test reports indicate various degrees of deterioration of the masonry work. The geometry of the structure and its deteriorated condition makes the Smokestack highly susceptible to collapse during a moderate seismic event.



Pictures taken on 8/14/2019, Above: Shows the three primary structures (Laundry building to the left, the Smokestack and Boiler building behind the stack), smaller connecting structures are also seen in the picture. Below: Shows falling bricks at southeast corner of Laundry building



Action Required:

- By March 1st, 2020, submit building permit application and plans for repair of the three aforementioned structures or obtain demolition permits. The option to repair or demolish applies separately for the Laundry and Boiler Buildings, and the Smokestack.
- By March 1st, 2022, complete required repairs or demolition work.

City recognizes the difficult choices to be made in balancing the preservation of structures of historical significance while safeguarding public health, safety and welfare.

Please respond in writing to me by September 6th, 2019, confirming that you agree to implement the above noted actions by the above deadlines in order to avoid further actions by the City. If you have any questions in regard to this determination or other items noted in this letter, please do not hesitate to contact me.



Date: August 28th, 2019.

Sree Thirunagari | Building Official



CITY OF VANCOUVER
Community and Economic Development
415 W. 6th St. (physical address) | 98660
P.O. Box 1995 | Vancouver, WA 98668-1995
Phone: 360-487-7838

ATTACHMENT 3

From: [Aaron M. Wigod](#)
To: [Jones, Keith \(CED\)](#)
Cc: ["David Pearson"](#); ["Eric Fuller"](#)
Subject: RE: Academy Ancillary Structures
Date: Thursday, October 24, 2019 9:02:01 AM

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Keith:

Sorry if my email shows a bit of frustration. I picked this site because it is unique and the proceeds from our purchase of the dirt is supporting a very good cause. The problem is the uncertainty that has come with those ancillary structures. There are always hurdles in the development process but it's hard to weigh risk and make decisions if the hurdles, or the process of surmounting the hurdles, is unknown. When we are risking hundreds of thousands of dollars (eventually millions) going through the development process, I need to know the precise processes and whether there are any risks in those processes that the development will be infeasible.

I thought the fate of the structures was already resolved by Sree's letter and whether we (Marathon and the Trust) propose demolition or seismic upgrade in March. If that only begins the HPC process and the fate of the structures is dependent on the outcome of the HPC process, then I have made a miscalculation and I need to reconsider moving forward. That miscalculation might be my fault but it's still frustrating because we have spent a lot of money and I really want Phase II to work out. I want to create acres of greenspace on that site and I want to try to save the stack. Phase II will be great for the site, the community, the Trust, Marathon, and Phase I.

Anyway, I didn't intend to direct my frustration at you. I should've spent more time reviewing with you the precise meaning of Sree's letter and the process that would be required before the letter was issued.

I think we should meet next week and talk about whether the City has formally deemed the structures unsafe and in either case what the process will be going forward. Again, I am in favor of a public process I just need to know whether the structures fate is predetermined or determined by the process, and the timing of the process. Can we meet at 9am before the pre-app conference? I know this site isn't easy for the City either. You guys really are the most helpful and proactive municipality I've encountered and I really appreciate it. Developing a site like this site would be impossible without your proactive involvement.

Aaron M. Wigod
Marathon Acquisition & Development
30050 SW Town Center Loop West, Suite 200
Wilsonville, Oregon 97070
Phone: (503) 582-8442
Fax: (503) 582-8383
www.marathonpad.com

From: Aaron M. Wigod [mailto:aaron@marathonpad.com]
Sent: Wednesday, October 23, 2019 4:21 PM
To: 'Jones, Keith (CED)'
Cc: 'David Pearson' ; 'Eric Fuller'
Subject: Academy Ancillary Structures
Keith:

I just left you a voicemail. My interpretation of the heritage overlay is that if a building official has deemed structures unsafe under Section 20.510.050 (3)(a), then the heritage overlay process requiring HPC approval under Section 20.510.050 (3)(c) is unnecessary. The 20.510.050 (3)(c) process can't apply when the building official has deemed the structures unsafe under 20.510.050 (3)(a) because the conclusion of the process (approve demolition or not) would be meaningless. What's the point of a process seeking approval of demolition if the structures would be demolished anyway for safety?

I understand the City's desire for HPC and public engagement. I am not certainly not opposed to either. We are in the midst of a public outreach campaign and I expected we would engage the HPC and explain the reasoning and plan for demolition or upgrade during the formal Phase II land use process. Since I believe Sree determined the structures unsafe I assumed we would only need HPC approval in the case of seismically upgrading the smokestack because we would be modifying a historic structure. I assumed we do not need HPC approval under 20.510.050 (3)(c) to demolish the structures because they are unsafe. If that's not the case we will simply be left with unsafe structures we can't demolish because HPC will never give their approval for demolition.

I don't understand the point of following the 20.510.050 (3)(c) process if the fate of the structures is already predetermined. I understand the desire to keep everyone informed, but I think it will look worse to seek the HPC's guidance/approval if the decision is already predetermined because the structures are unsafe. I think the 20.510.050 (3)(c) process will look even worse if the plan is to appeal the HPC's decision to City Council. If the structures fate has already been predetermined because they are unsafe, why are we asking the HPC and City Council for permission to demolish them? Also, what do you do when the HPC and City Council both say they don't want the structures demolished but everyone knows the structures are unsafe? That's a nightmare.

I think the code does not apply the Section 20.510.050 (3)(c) process to structures deemed unsafe under Section 20.510.050 (3)(a) because the 20.510.050 (3)(c) process would be meaningless. Again, that's not to say we shouldn't keep everyone informed and follow some informational process, but to follow the 20.510.050 (3)(c) formal process and seek the HPC's approval is meaningless and confusing if the structures have already been deemed unsafe. Has the City has not formally deemed the structures unsafe under Section 20.510.050 (3)(a)? Maybe that's the issue? I thought the purpose of the structural studies and Sree's letter requiring that we submit a plan to upgrade or demolish the stack was tantamount to determining them to be unsafe but maybe we are not on the same page. I guess I should have been more diligent to get a formal determination under Section 20.510.050 (3)(a).

Respectfully, I need to know whether the City has formally deemed the structures unsafe under Section 20.510.050 (3)(a). And if not, whether the City is prepared to do so. **If demolition is in the hands of the HPC and an appeal to City Council, I need to seriously consider abandoning the project because I don't think we will get approval.** If the City has formally deemed the structures unsafe then I think we just need to work together in formulating a process for informing the HPC and public of our plans. If that's the case then my

only concern is timing which I think we can figure out.

Please understand this from my perspective. I thought the City had essentially deemed these structures unsafe. In other words, per Sree's letter, the structures fate would be sealed in March 2020 depending on whether we (Marathon and the Trust) pursue demolition or seismic upgrade. I need to reconsider moving forward with Phase II if come March we need to then follow the 20.510.050 (3)(c) process and the result of which could be the City not allowing demolition because the HPC and Council don't approve demolition. Either the structures are unsafe, which is clearly the case, and they need to be demolished, or they are safe and they can continue to stand if the HPC and Council want them to stay. I just need to know.

Also, please understand that I would love to save the stack and we are trying hard to save the stack. The problem is I can't continue to spend resources (including trying to save the stack) on a project that isn't feasible. The project is not feasible if the structures can't be demolished in the event there are not resources to upgrade the structures. If we and the Trust don't have the resources to seismically upgrade the structures and the City doesn't require demolition because they are unsafe, then Parcel V will remain undeveloped until the structures fall on their own because the HPC will never approve demolition no matter their condition. I don't think the Trust will agree but I can live with that result even though disappointing. I just need to know so I can either move forward with Phase II or walk away from Phase II.

Sorry for these difficulties. This isn't an simple site. And know that I truly appreciate the City's proactive involvement on all these issues. It's helpful.

Aaron M. Wigod

Marathon Acquisition & Development

30050 SW Town Center Loop West, Suite 200

Wilsonville, Oregon 97070

Phone: (503) 582-8442

Fax: (503) 582-8383

www.marathonpad.com

ATTACHMENT 4

From: [Nortz, Jason](#)
To: [Thirunagari, Sree](#)
Cc: [Person, Mark](#); [Turner, Greg](#); [Gigler, Philip](#); [Jones, Keith \(CED\)](#)
Subject: FW: 3 CCHR nominations in CoV
Date: Tuesday, April 7, 2020 9:26:20 AM
Attachments: [Letter to The Historic Trust.pdf](#)

Sree,

Looks like the HPC is going to meet in May (virtually). I'm going to reach out the Trust to see if they would like to take Boiler and Laundry Unfit determination. You may recall we're not required to take this to the HPC but said we would do so as a courtesy to allow them the opportunity to review mitigation measures. Advisory only. Still Building Official's decision to make.

That said, we need to make an official determination on "unfit" status so we can put the Trust on the clock for demo permit application or building permit to remodel. I'm thinking the official determination should be made after we take to HPC.

We also need to update the timeline on the attached letter. Given the Trust has made a good faith effort to address both issues we should extend the deadline from March 1 until at least June 1 (we can update again if needed).

From: Person, Mark
Sent: Tuesday, April 7, 2020 8:56 AM
To: Nortz, Jason
Cc: Turner, Greg
Subject: FW: 3 CCHR nominations in CoV

Jason,

It sound like the HPC agendas are quickly filling up, just wanted to keep you in the loop. We've also received a design review application for the old Spanky's consignment at 812 Main so that will need to go before the HPC for an advisory heritage overlay review.

Mark

From: Sharon Lumbantobing [mailto:Sharon.Lumbantobing@clark.wa.gov]
Sent: Tuesday, April 7, 2020 8:51 AM
To: CCHM Director
Cc: Person, Mark
Subject: 3 CCHR nominations in CoV

Brad,

I am cc'ing Mark Person on this email. Mark please below. Brad is planning to submit three CCHR nominations in May for the June HPC meeting. All three buildings are in the city of Vancouver.

I am thinking that three public hearings in one meeting might be a lot. Perhaps we could discuss how to spread them out over 2 meetings in June and July.

Best,

Sharon

From: CCHM Director [director@cchmuseum.org]
Sent: Monday, April 06, 2020 9:50 PM
To: Sharon Lumbantobing
Subject: [Contains External Hyperlinks] RE: HPG grantee update

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Hi Sharon,

Sounds good. I'll get these over to you near the end of this month.

Thank you, take care, and talk to you soon.

Cheers,

Laing, Tara J.

From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Sent: Thursday, May 14, 2020 2:58 PM
To: Moss, Alison
Cc: Katzaroff, Kenneth; Thirunagari, Sree; Jones, Keith (CED); Turner, Greg; Gigler, Philip; McJilton, Raelyn
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

The documents you requested both regarding the demo (Sree) and the land use application (Keith) will be provided as part of Public Disclosure Request (PDR). You should have received confirmation on this request from our Records staff a week or so ago. The request will be completed by no later than May 21.

You did have some additional questions below regarding the demolition of the accessory buildings that I would like to follow up on. I'll address each separately:

1. Marathon has not requested to demolish any structures on site other than the old restaurant building (El Presidente) that was part of the Phase I development. That demo request was approved by the HPC and has since been demolished. The Historic Trust submitted a request for the Building Official to make an unfit building determination for both the Laundry and Boiler buildings back on December 12, 2019. That letter will be part of forthcoming PDR.
2. Do in large part to ongoing concerns the City has had regarding the structural integrity of the laundry, boiler and smokestack buildings and the potential safety risk they present the City put the Trust on notice in August of 2019 to provide a plan by March 1, 2020 to either repair/remodel or demolish these structures. This letter will be part of forthcoming PDR.
3. Because an official request was made on December 10, 2020 to determine if the building was unfit no additional analysis was done that would otherwise have been done as part of a demolition request. It is important to point out that there is a distinct difference between an official demolition request and an unfit building determination.
4. The unfit building determination is made by the building official following a specific set of findings as listed in VMC. CH 17.32. The process does not require a public hearing by any board or commission. However, we did take the request before the Building and Fire Codes Commission (BFCC) in February to get their feedback of our analysis. At that meeting we did inform the BFCC that we will also be taking the request to the HPC as a courtesy review and to get their feedback on the proposed mitigation measures for the potential loss of these structures if it is ultimately determined they are unfit. We had anticipated going before the HPC in April but due to Covid-19 this has been delayed. It will likely not be until June or July before this happens. After we meet with the HPC the building official will make his determination on the unfit status and put the Trust on the clock to either demolish or remodel the structures so as they are seismically sound and no longer prevent a safety risk.
5. For clarification purposes the unfit request is only limited to the boiler and laundry buildings. The smokestack is being managed separately and the initial plan is to try and preserve this structure through a seismic retrofit but the feasibility is still being determined. We hope to know more about this in the coming weeks.

If you have any other questions please feel free to contact me directly.

Thanks,
Jason

From: Moss, Alison [mailto:AMoss@SCHWABE.com]
Sent: Friday, May 1, 2020 2:03 PM
To: Nortz, Jason

Cc: Katzaroff, Kenneth; Thirunagari, Sree; Jones, Keith (CED); Turner, Greg

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Thank you, Jason:

I look forward to talking to/hearing from you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

[Please visit our COVID-19 Resource page](#)

From: Nortz, Jason

Sent: Friday, May 1, 2020 2:00 PM

To: Moss, Alison

Cc: Katzaroff, Kenneth ; Thirunagari, Sree ; Jones, Keith (CED) ; Turner, Greg

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Thanks for the email. These are all very good questions. We have an internal meeting next week to discuss these questions in addition to ones you provided Keith. I appreciate your interest in the project but also want to make sure the information we're providing you is consistent and centralized. I'll follow up next week.

Thanks,

Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Friday, May 1, 2020 10:53 AM

To: Thirunagari, Sree

Cc: Nortz, Jason; Katzaroff, Kenneth

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Importance: High

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Good morning Sree:

I am following up on a telephone message I just left you and the email string below. I'm trying to figure out: (1) exactly which structures Marathon has asked to demolish; (2) its reasoning therefore; (3) what analysis has been conducted of the effect potential demolition on the cultural landscape and integrity of the Academy site and main building; (4) the extent to which you have considered repair or remediation; (5) when this matter will go before this CCHPC; and (6) whether the City has made any final determination.

I would greatly appreciate a return call and the provision of documents responding to these 6 topics.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

[Please visit our COVID-19 Resource page](#)

From: Moss, Alison <AMoss@SCHWABE.com>

Sent: Tuesday, April 21, 2020 3:07 PM

To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Sree:

Just following up on my email below. I know the pandemic has made things very difficult. If you could let me know when I might expect the requested documents, that would be very helpful and I could quit pestering you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: "Moss, Alison"

Sent: Tuesday, April 14, 2020 8:35 AM

To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you for your response, Sree:

I actually have no information on the demolition request other than Keith's email letting me know that Marathon had asked that you determine that the buildings are unfit. Could you please send me Marathon's request and any supporting arguments as well as your August, 2019 letter and any other response or request for information you have made?

Thank you,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

[Please visit our COVID-19 Resource page](#)

From: Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>

Sent: Monday, April 13, 2020 4:26 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Hi Alison- I apologize for the delay in getting back to you. Given the current reality of COVID epidemic and the severe impact it is having on our community, I will be extending the timelines indicated in my August 2019 letter. I will be providing the updated letter with the revised timeline sometime this week.

Thank you.

Sree

Sree Thirunagari | Building Official



Please note that City Hall is closed to the public through April 30.

Please visit our [website](#) for a complete list of all facilities and programs affected by the [March 13 Declaration of Civil Emergency](#)

CITY OF VANCOUVER

Community and Economic Development

415 W. 6th St. (physical address) | 98660

P.O. Box 1995 | Vancouver, WA 98668-1995

Phone: 360-487-7838

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Monday, April 13, 2020 3:45 PM
To: Moss, Alison; Thirunagari, Sree
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Good afternoon Mr. Thirunagari:

I hope this email finds you well. I am following up on my email below ago requesting a copy of the application to determine that the laundry and boiler buildings at Providence Academy are unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss
Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt
[Please visit our COVID-19 Resource page](#)

From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Friday, April 3, 2020 4:54 PM
To: 'Sree.Thirunagari@cityofvancouver.us' <Sree.Thirunagari@cityofvancouver.us>
Subject: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Mr. Thirunagari:

Keith Jones advised me that the applicant for the Aegis at Providence Academy II has submitted a request that the laundry and boiler buildings be deemed unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss
Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt
[Please visit our COVID-19 Resource page](#)

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ATTACHMENT 5



SUBMIT TO:
 City of Vancouver
 Community & Economic Development
 415 W. 6th ST
 Vancouver, WA 98660
www.cityofvancouver.us

SEPA ENVIRONMENTAL CHECKLIST WAC 197-11-960

Property Owner:	Providence Academy, LLC & Academy Development, LLC/East Evergreen Apartments, LLC <small>(Print or Type Name)</small>	Telephone	360-992-1800/503-750-6858/5
Mailing Address:	750 Anderson Street Vancouver, WA 98661/30050 SW Town Center Loop Suite 200 Wilsonville, OR 97070 <small>(NO., City, State, ZIP)</small>		
Applicant:	Marathon Acquisition and Development, Inc. <small>(Print or Type Name)</small>	Telephone	503-582-8442
Mailing Address:	30050 SW Town Center Loop W, Suite 200, Wilsonville, OR 97070 <small>(NO., City, State, ZIP)</small>		
Relationship to Owner:	Same		
Tax Assessor Serial Number(s):	Adjusted parcels 39220-000, 39220-001 and 986035-621		
Legal description: Lot(s)	Adj. Lots 1, 3, 4 NE1/4 Sec. 27, T2N, R1E W. M.	Block(s))	Plat name
(If a Metes and Bounds description, check here <input type="checkbox"/> , and attach narrative to this application.)			
Site Address (if any):	400 E. Evergreen Blvd. Vancouver, WA 98684		

Ⓜ Include 8½" x 11" copies of Quarter Section Map, Topographic Map, Scaled Site Plan. Delineate site on maps.
 Notice to Applicants: You must use the current revision of this form or your application will not be accepted. If you use our disk version of this form (MS Word 6.0) you may not alter the format. Make sure you have the current version before submittal.

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental

effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

Aegis Mixed-Use Development Phase 2

2. Name of applicant: [\[help\]](#)

Marathon Acquisition and Development, Inc.

3. Address and phone number of applicant and contact person: [\[help\]](#)

*Applicant: Marathon Acquisition and Development, Inc.
c/o Aaron M. Wigod
30050 SW Town Center Loop
Wilsonville, OR 97070
(503) 582-8442*

*Contact: Olson Engineering, Inc.
Attn: Mike Odren
222 E. Evergreen Blvd.
Vancouver, WA 98660
(360) 695-1385*

4. Date checklist prepared: [\[help\]](#)

April 2020

5. Agency requesting checklist: [\[help\]](#)

City of Vancouver

6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)

Construction shall commence upon approval and procurement of all required approvals and permits. Phasing of building completion and request for occupancy of one building prior to completion of the other may take place.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)

Providence Academy, LLC, owner of parcel 39220-000, has plans to reconstruct the parking lot located in the southeast corner of said parcel to provide for emergency vehicle access for this project as well as provide additional parking for the Providence Academy building.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)

Stormwater Pollutions Prevention Program – Olson Engineering, Inc.; Stormwater Report – Olson Engineering, Inc.; Clark County Public Health Development Review; Archaeological Study – Archaeological Investigations Northwest, Inc.; Geotechnical Site Investigation – Redmond Geotechnical Services; Level I Environmental Assessment – Hahn & Associates.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

Not to the Applicant's knowledge.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

Preliminary and Final Site Plan Approvals, Engineering Plan Approval, Grading Permit, Erosion Control Plan Approval, Road Modification approval, SEPA Determination, Building Permit, NPDES permit, FAA Approval, City Center Redevelopment Authority review, Clark County Historic Preservation Commission review, Design Review approval, demolition permit for the Laundry and Boiler Buildings (see Section 8(d) below), and seismic hazard reduction building permit or demolition permit for the smokestack (see Section 8(d) below).

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

The Applicant, Marathon Acquisition and Development, Inc., proposes a 206-unit multi-family apartment project within one building mass (but referred to as Buildings C/D/E) and a 266-stall, 4.5 story, 87,383 square foot parking garage on approximately 2.81 acres (contained within the Project Boundary) which is referred herein as "Phase 2". A portion of Phase 2 (Building C/D) will be constructed over a portion of the area shown to be developed as Phase 1 parking. Refer to the Preliminary Site Plan for more information.

Building C/D/E – 6 stories, which include the following:

<i>First floor</i>	<i>30,916 square feet/26 residential units and other residential amenities.</i>
<i>Second Floor</i>	<i>31,893 square feet/36 residential units</i>
<i>Third Floor</i>	<i>31,893 square feet/36 residential units</i>
<i>Fourth Floor</i>	<i>31,893 square feet/36 residential units</i>
<i>Fifth Floor</i>	<i>31,893 square feet/36 residential units</i>
<i>Sixth Floor</i>	<i>31,893 square feet/36 residential units</i>
<i>Total Square Footage/Residential Units</i>	<i>190,381 square feet/206 residential units</i>

Associated utilities, stormwater and other infrastructural improvements.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

The site is located at 400 E. Evergreen Boulevard, Vancouver, Washington, in the CX zoning district. The property is further identified as adjusted Tax Lots 3 and 4 and a portion of adjusted Tax Lot 1, assessor's serial numbers 986035-621, 392200-001 and 39220-000, located in the northeast ¼ of Section 27, Township 2 North, Range 1 East of the Willamette Meridian, Clark County.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth

- a. General description of the site [\[help\]](#)
(underline one): Flat, rolling, hilly, steep slopes, mountainous,
other:

- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

The steepest slope on the site is approximately 3-5%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

According to Clark County GIS data, the soils on the site are 100% LgB (Lauren gravely loam, 0 to 8 percent slopes).

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

There are no surface indications or history of unstable soils on the site.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

Site grading to construct building pads, parking and other associated improvements. The amount of grading could be approximately 2,000 cubic yards. Import of soil is not anticipated. If soil is required to be exported, it will be delivered to an approved location. Refer to Engineering Plans for more information.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

Non-mitigated impacts from construction would cause some erosion. However, the Applicant will fully mitigate these potential impacts through compliance with City of Vancouver erosion control ordinance.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

Approximately 69% of the project area will be covered with impervious surfaces.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Stormwater and erosion control plans will be prepared and implemented in accordance with City of Vancouver code. These include treating stormwater on the site as well as silt fencing and other erosion control bmp's. Due to the gravelly nature of the on-site soil, all runoff from the developed portions of the site will be infiltrated. Therefore, no flow will leave the site. The project will also conform to the Stormwater Pollution Prevention Plan. Refer to Engineering Plans for more information.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

Construction equipment and vehicles will generate dust and particulate emissions during the construction period. Employee, resident, visitor, mail delivery, solid waste and recycling vehicles may generate particulate emissions in the long-term. Other emission sources include typical multi-family residential emissions from heating, ventilation and air conditioning units, as well as small power tools including, but not limited to, small gas-powered equipment used for site and landscape maintenance, such as lawn mowers, blowers, trimmers, etc. The quantities of these emissions are unknown.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

No offsite sources of emissions or odors exist that would adversely affect the proposed development.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

Water will be utilized for dust control as needed during construction as well as the implementation of all local, state and federal regulations. The construction of the building will comply with all standards of the Environmental Protection Agency and all other applicable local, state and federal standards.

3. Water

- a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

No.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

No.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

None.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No surface water withdrawals or diversions will be required as part of this proposal. Stormwater runoff from the parking lot, sidewalks and other paved surfaces will be routed to bioretention facilities located throughout the site for quality treatment prior to being infiltrated. Stormwater runoff from the building roofs will be routed directly to the infiltration facilities. Refer to the Engineering Plans for more information.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

No portion of the proposal lies within a 100-year flood plain.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

The proposal does not involve any discharge of waste materials to surface waters.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

None.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

Sources of runoff include the roofs, sidewalks, parking lot and other paved surfaces. Stormwater runoff from the parking lot, sidewalks and other paved surfaces will be routed to bioretention facilities located throughout the site for quality treatment prior to being infiltrated. Stormwater runoff from the building roofs will be routed directly to the infiltration facilities. Refer to the Engineering Plans for more information.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

No.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

- 4) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

This proposed site plan will meet or exceed City of Vancouver's water quality and quantity standards provided for by City of Vancouver's Stormwater Ordinance.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

deciduous tree: alder, maple, aspen, other Dogwood, Flowering Plum

evergreen tree: fir, cedar, pine, other Spruce

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

All vegetation will be removed from areas depicted for the proposed buildings, paving, utilities and other site improvements for construction activities as shown on the Preliminary Site Plan. Existing trees along the internal circulation drive extension of E. 12th Street will be removed for construction of new parking and the parking garage.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

None to the applicant's knowledge.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

The site will be enhanced with trees, ornamental and native shrubs and groundcovers. The applicant will comply with the City of Vancouver's landscape requirements and tree ordinance for site plan approval. Special consideration will be given to the 30 foot wide landscaped pedestrian access point into the site from 12th Street. Refer to the Preliminary Landscape Plan and Level V Tree Plan for more information.

- e. List all noxious weeds and invasive species known to be on or near the site.

English Ivy and Himalayan Blackberry

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: [\[help\]](#)

birds: hawk, heron, eagle, songbirds, other: Crows
mammals: deer, bear, elk, beaver, other: rodents, rabbits, squirrels
fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

None to the Applicant's knowledge.

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

The site is located within what is commonly referred to as the Pacific Flyway. This Flyway is the general migratory route for various species of ducks, geese and other migratory waterfowl. The Flyway stretches from Alaska to Mexico and from the Pacific Ocean to the Rocky Mountains. Neotropical birds, such as Robins, may also seasonally utilize or be near the site.

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

Landscaping will be provided on site with trees, shrubs and groundcovers which will provide some habitat for small mammals and birds on site.

- e. List any invasive animal species known to be on or near the site.

None to the Applicant's knowledge.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

Typical multi-family uses of electricity and/or natural gas energy for heating and cooling will be required for the completed project.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

All construction on the site will be designed to comply with the state adopted codes and policies related to energy conservation.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. [\[help\]](#)

Heavy equipment and a variety of materials will be utilized to construct the project.

- 1) Describe any known or possible contamination at the site from present or past uses.

None to the Applicant's knowledge.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None to the Applicant's knowledge.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Heavy equipment and a variety of material will be utilized to construct the project.

- 4) Describe special emergency services that might be required.

No special emergency services will be required.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

The Applicant will comply with all applicable local, state and federal regulations during construction and operation of the project. All construction will be inspected according to industry requirements and standards.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

Existing traffic noise from E. 12th Street, C Street, E. Evergreen Blvd. and Interstate 5 exists, but it should not affect the proposed project. Additionally, aircraft noise from Pearson Airpark, Portland International Airport and the National Guard can be heard at the site. Appropriate measures will be undertaken to mitigate for noise impacts according to City of Vancouver code.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

Construction equipment and vehicles will generate noise during the construction periods for both phases. Employee, resident, visitor, delivery, solid waste and recycling vehicles will generate noise in the long-term. Other noise sources include typical multi-family noise from heating, ventilation and air conditioning units, as well as small power tools including, but not limited to, small gas-powered equipment used for site and landscape maintenance, such as lawn mowers, blowers, trimmers, etc.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Construction activities will not be generated before 7:00 AM or after 10:00 PM.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

Parcel 39220-000 currently contains the Providence Academy building and a daycare. Parcel 39220-001 currently contains an abandoned laundry building, an abandoned boiler building, and a smokestack. The balance of the site consists of paved and gravel parking, and landscaping.

Adjacent land uses consist of multi-family residential uses and a hotel on CX zoned property to the north, Providence Academy and daycare to the south, Interstate 5 to the east, and an existing gravel parking lot (site of Aegis Mixed-Use Development Phase 1) to the west. The proposal will not affect current land uses on nearby or adjacent properties.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

Not to the Applicant's knowledge.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site. [\[help\]](#)

Parcel 39220-000 currently contains the Providence Academy building and a daycare. Parcel 39220-001 currently contains an abandoned laundry building, an abandoned boiler house building, and a smokestack. There are no structures on any of the other parcels.

- d. Will any structures be demolished? If so, what? [\[help\]](#)

Laundry and Boiler Buildings

There are two historic structures on parcel 93220-001 known as the Boiler and Laundry Buildings that, separate from this Application, are in the process of being deemed "unfit" by the City of Vancouver pursuant to VMC 17.32.040. Structural engineers have determined the structures to be unsafe and unfit and a developer specializing in restoration of historic structures has determined renovation of the structures to be economically infeasible. Given the condition of those two structures, the Applicant expects the City of Vancouver to deem the structures unfit and approve a demolition permit for the Boiler and Laundry Buildings.

This Phase 2 land use application is expected to be conditioned on approval of that demolition permit and demolition of the Laundry and Boiler Buildings.

Smokestack

There is a historic Smokestack on parcel 93220-001 located directly south and adjacent to the Boiler Building. Attached hereto is a letter from a structural engineer determining that the smokestack is unsafe in its current condition (the "Smokestack Seismic Letter"). Also attached hereto is a letter from the City of Vancouver requiring that the Historic Trust (the owner of parcel 93220-001), either submit an application for a building permit to repair the Smokestack or an application to demolish the Smokestack (the "Smokestack City Letter").

The Applicant and the Historic Trust have submitted construction documents to the City of Vancouver for a seismic hazard reduction retrofit of the smokestack to significantly improve the safety of the smokestack. If the proposed seismic hazard reduction retrofit is

unacceptable to the City of Vancouver from a structural or safety standpoint, then the Historic Trust will submit an application for a demolition permit to demolish the Smokestack. Also, if construction of the smokestack seismic hazard reduction retrofit is approved by the City but determined to be economically infeasible by the Applicant and the Historic Trust, the Historic Trust will submit an application to demolish the Smokestack.

This Phase 2 land use application is expected to be conditioned on either construction of a seismic hazard reduction retrofit in accordance with a permit issued by the City of Vancouver or approval of a demolition permit and demolition of the Smokestack.

- e. What is the current zoning classification of the site? [\[help\]](#)

CX City Center.

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

COM Commercial.

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

Not applicable.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

No.

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

Based on 1.9 persons per unit in multi-family housing, approximately 391 people may reside in the completed project.

- j. Approximately how many people would the completed project displace? [\[help\]](#)

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

Provide additional housing by constructing 206 multi-family apartment units.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

With approvals of a Type I Site Plan Review application, the proposed project will comply with the City of Vancouver's zoning ordinance and applicable overlay zones, Comprehensive Plan, and City Center Plan as well as applicable City of Vancouver infrastructure and utility standards.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

There are no nearby or adjacent agricultural or forest lands of long-term commercial significance.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

206 middle-income multi-family residential units.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

None.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

Pay traffic, park and school impact fees; System Development Charges for sanitary sewer and water; provide on-site transportation improvements; construct all infrastructure necessary to comply with all applicable development standards including, but not limited to, landscaping, stormwater, and other utilities.

The project falls within the proposed uses contemplated in the VCCV Subarea Plan with regards to residential units. Based on a review of the Development Projects Since the Adoption of the VCCV (as of October 2019) (Chart) document provided by City staff, the number of residential units contemplated in the VCCV has been exhausted. However, page 16 of the VCCV states, "...the flexibility to respond to market trends may result in a shift from the residential use category to the office use category or vice versa as long as the impact characteristics are similar and the overall impacts do not exceed plan targets." This means that a comparable square footage of office use may be transferred and used for residential units. This has already been accomplished with other approved projects, namely Jefferson Street Apartments and VW5 Development. These two projects provided a P.M. peak trip comparison of approximately 505 square feet of office use for every residential unit. Based on conversations with City staff for Aegis Mixed-Use Development Phase 1, this conversion is an appropriate and reasonable comparison. As such, the 206 proposed multi-family residential units equates to 104,030 square feet of office use. According to the Chart, there is 688,841 square feet of office use capacity remaining in the VCCV. With the transfer of 104,030 square feet of office use to residential use with this project, there will be 584,811 square feet of office use remaining in the VCCV.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

The tallest height of the building mass is approximately 74 feet to the top of the parapet. The principal exterior building material will consist primarily of brick with fiber cement panel accents.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

A portion of view from 12th Street into the Academy Site will be obstructed. The Applicant has preserved a view corridor with a 0-foot height limit looking south from 12th Street into the Academy site which is approximately 93 feet in width. The view corridor planned will be nearly double the required width by the Heritage Overlay (VMC 20.510.020 (A)(3)(b)). The 93-foot corridor will allow for an approximately 213-foot-wide view of the site, and a 147-foot-wide view of the Academy building from 12th Street. The corridor also includes a roughly 30-foot-wide enhanced, landscaped pedestrian access into the site to invite the community into the site including the expansive green space on the site.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

Providence Academy is one of the most historically and architecturally significant buildings in the Pacific Northwest. The Applicant strived to create compatible juxtaposition of old and new. Aegis complements the Academy rather than mimic it which was accomplished by employing current design to accommodate modern needs while incorporating traditional elements and showcasing the Academy's inspired history. Structured, clean, and rectangular forms were employed and paired with robust landscaping and plazas to create a beautiful "frame" around the Academy and its more historical, classical vernacular. Aegis was designed with minimal articulation and complexity to limit distraction from the Academy. Aegis' exterior materials pay homage to the Academy, while the palette is muted to complement the Academy. The result is a design that showcases the Academy without detracting from it architecturally. The juxtaposition of old and new will be a visual representation of rich history, achievement, time, and progress.

The design of the Aegis buildings employed current design elements such as large windows to accommodate modern needs. The design of Aegis also incorporated elements from the Academy's architecture and site design to create compatible juxtaposition. The design of Aegis and the site also included general elements that create a cohesive site. The following are examples of some of the architecture and site design elements that create cohesion and compatible juxtaposition:

- *Aegis' simple facades and clean lines frame and highlight the Academy.*
- *Aegis' mostly brick cladding is the same material and texture of the Academy.*
- *Neutral palette on the upper floors of Aegis provides some contrast from the Academy allowing the Academy to remain the focus of the site while Aegis' earth tone exterior palette matches the earth tones of the Academy's exterior palette so there is not stark contrast between old and new.*
- *Red brick on portions of the upper façades of Aegis connects to the Academy and creates cohesive campus feel from a distant perspective.*
- *Aegis' dark colored brick base and the Academy's stone base similarly anchor the buildings.*
- *The brick size and layout of Aegis closely resemble the Academy's brick size and layout.*
- *Brick soldier courses, pilasters, and other brick detailing infuse traditional elements into Aegis to complement the Academy.*
- *Rhythmic and symmetrical window layout of Aegis mimics the Academy's window layout.*
- *The red brick base of Aegis connects to the Academy and creates a cohesive campus feel from the pedestrian perspective.*
- *Cement panels provide depth relief in Aegis' façade without excessive articulation distracting from the Academy.*
- *Informative and abstract historical art throughout the site will connect Aegis and the Academy to the site's history and provide context for the public.*
- *Precast concrete sills in the storefront windows of Aegis mimic the Academy's stone sills and make the façade of Aegis more traditional.*
- *Black vertical steel pickets on the balconies are traditional elements and tied with the metal grills on Aegis create horizontality that helps ground the new buildings.*
- *Aegis' arched lobby entrance awnings mimic the Academy's arched windows.*
- *Maintaining the view corridor from 12th Street into the Academy site.*
- *Aegis II's parking garage eliminates surface parking to create open space of roughly 72,000 sf and roughly 125,000 sf on the site total*

- *Cohesive landscaping between Aegis and the Academy ties the site together.*
- *Aegis' mixture of hardscape and landscaped entrances mimics the Academy's mixed hardscape and landscape entrances.*
- *The earth tone exterior palettes of Aegis and the Academy blend with the campus landscaping.*
- *Red brick hardscape in the onsite crosswalks compliments the façade of the Academy and creates cohesion from the pedestrian perspective.*

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

Typical multi-family and parking lot lighting will illuminate the area during evening hours. Lighting will meet City of Vancouver code.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

The installation of illuminated material will minimize dispersion off the site and will not constitute a safety hazard.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

There are some amounts of light levels generated off-site but they are unlikely to affect the project.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

Lights will be installed and shielded to minimize dispersion and control any potential offsite impacts. Intensity of lighting will be kept to a minimum, though enough to assure safety on the site and to meet all applicable code sections. Refer to the Lighting Plan for more information.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

The Fort Vancouver Regional Library is located on the south side of E. Evergreen Blvd. Officer's Row is located approximately ¼ mile to the east. The Fort Vancouver National Historic Site is located approximately ½ mile to the southeast. Marshall Park and Marshall Recreational Center is located approximately ½ mile to the northeast. Esther Short Park is located approximately ½ to the southwest.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

Pay park impact fees.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

The Providence Academy building, daycare building, laundry building and boiler building are all over 45 years old. The Providence Academy building and surrounding property is listed on the National Register of Historic Places and the Washington Heritage Register. Refer to the Archaeological Survey for the Academy Mixed-Use Development, as prepared by Archaeological Investigations Northwest, Inc., dated June 11, 2018, for more information.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

According to the archaeological study, there are features, evidence and artifacts of cultural importance on the site. Refer to the Archaeological Survey for the Academy Mixed-Use Development, as prepared by Archaeological Investigations Northwest, Inc., dated June 11, 2018, for more information.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

The Applicant has submitted an archaeological study which explains the methods used to assess the potential impacts to cultural and historic resources on the project site. Refer to the Archaeological survey for the Academy Mixed-Use Development, as prepared by Archaeological Investigations Northwest, Inc., dated June 11, 2018, for more information.

The Applicant analyzed the impact of Aegis II on the 12th Street view of the Academy Site and Academy Building by first studying several options to locate the Phase 2 buildings. Consideration was given to the width of the view corridor, to ensure not only a view of the site and the building, but also to allow the best access into the site.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Archaeological Resources

In the event any archaeological or historic materials are encountered during project activity, work in the immediate area must stop and the following actions taken:

1. *Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and*
2. *Take reasonable steps to ensure the confidentiality of the discovery site; and,*
3. *Take reasonable steps to restrict access to the site of discovery.*

If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If remains are determined to be Native, consultation with the effected Tribes will take place in order to mitigate the final disposition of said remains.

Laundry and Boiler Buildings

If the City of Vancouver deems the Laundry and Boiler Buildings "Unfit" in accordance with VMC 17.32.040, mitigation measures for the demolition of those structures will be addressed in the demolition permit application for those structures separate from this land use

application. In the demolition permit application, the Historic Trust, the current owner of the Laundry and Boiler Buildings, will propose a series of mitigation measures to meet SEPA requirements, including appropriate documentation of the buildings, submitting the biography of the Boiler Building architect Robert Tegen for the DAHP website, historical interpretation of the site and buildings in exhibits in the Providence Academy building, and retaining representative samples of building materials for the Trust's collection, as well as for reuse in future interior rehabilitation.

In addition, the Applicant herein is proposing voluntary mitigation measures for demolition of the Laundry and Boiler Buildings as part of Aegis II including historic interpretive centers within the onsite greenspace to showcase the locations of historic structures on the site and abstractly recreating historic structures with play structures. This voluntary mitigation is contingent on construction of Aegis II proceeding.

Smokestack

Separate from this land use application, in response to the Smokestack Structural Letter and the Smokestack City Letter, the Applicant and The Historic Trust submitted to the City of Vancouver construction documents for a seismic hazard reduction retrofit of the smokestack. If the proposed seismic hazard reduction retrofit is unacceptable to the City of Vancouver from a structural or safety standpoint, then the Historic Trust will submit an application for a demolition permit to demolish the Smokestack. Also, if construction of the smokestack seismic hazard reduction retrofit is approved by the City but determined to be economically infeasible by the Applicant and Historic Trust, the Historic Trust will submit an application to demolish the Smokestack. If the Historic Trust submits an application for demolition, appropriate mitigation to compensate for such loss will be proposed as part of that application permit.

View Impacts

The Applicant determined that the impact to the view of the Academy Site and Academy Building from 12th Street is mitigated by providing the following: (1) a much wider view corridor than is required by the Heritage Overlay; (2) an enhanced pedestrian access into the site from 12th Street; (3) roughly 72,000 square feet of open greenspace and terraces on the site; (4) a plan for preserving the Academy Smokestack; and (5) approximately \$3,000,000 of sale proceeds from Parcel 39220-001 will contribute directly to renovation of the Academy Site and Academy Building.

Partially obstructing the view of the Academy Site and Academy Building from 12th Street is mitigated by Aegis II providing a view corridor with a 0-foot height limit looking south from 12th Street into the Academy site which is 93 feet in width, significantly exceeding the 50-foot-wide view corridor required by the Heritage Overlay. From 12th Street the view corridor provides roughly a 213-foot-wide view of the Academy site, and a 147-foot-wide view of the Academy building. The view corridor is positioned near the intersection of C Street, which is far more active than the intersection of 12th Street and D Street. This size and location for the view corridor was deemed the overall best solution with the least impact of the views of the Academy Site and Academy Building.

To improve the proposed view corridor, the Applicant reduced the size of Building C by moving the west façade of Building C 17 feet to the east which resulted in losing apartments/density. That adjustment significantly expanded the width of the view corridor from 12th Street to just over 93 feet – almost double the Heritage Overlay's requirement. That expansion in turn significantly expanded the view of the Academy Site and Academy Building from 12th Street.

Partially obstructing the view from 12th Street is also mitigated by Aegis II providing a 30-foot-wide enhanced pedestrian access from 12th Street which is created by the wider view corridor. That enhanced pedestrian access will be more inviting for the public because of its

width and landscaping, and will lead to the expansive greenspace and further south through the greenspace to the Academy Building.

To further mitigation the view impact the Applicant improved and activated the proposed view corridor by moving the Phase 2 main lobby and community from Building D to the West end of Building C. The exterior walls of the lobby will be mostly storefront glass which will provide further glances of the Academy Building from 12th Street through the lobby. The lobby will activate the West end of building C which will further invite pedestrians into the site via the enhanced pedestrian access along the view corridor.

The most significant mitigation for partially obstructing the view from 12th Street is creation of roughly 72,000 square feet of open greenspace and terraces between the Academy Building and Phase 2 buildings. The parking garage and locating the view corridor where proposed allowed for that greenspace. The greenspace will be activated with walking paths, lush landscaping, historical interpretive art, play structures, and bocce ball courts.

The Applicant explored several other options for the view corridor and in turn minimizing the impact on the views of the Academy Site and Academy Building including aligning the view corridor with D Street. None of those options were deemed feasible because the options either rendered the development economically infeasible or they resulted in eliminating the parking garage. Without the parking garage, a large surface parking lot is required. Although more economical, options with surface parking were explored but not pursued because the Applicant and Historic Trust didn't want to sacrifice the expansive greenspace and surround the Academy Building with surface parking and drive lanes.

Proposing a plan for preserving the smokestack also mitigates the impact of Phase 2 on the views of the Academy Site and Academy Building. Most of the options explored for a different or more expansive view corridor from 12th Street didn't provide any possibility of saving the smokestack. A seismic hazard reduction retrofit for the smokestack requires a permanent clear 30-foot radius around the smokestack which makes much of the potential surface parking infeasible with preserving the smokestack.

Lastly, the approximately \$3,000,000 of proceeds from the sale of Parcel 39220-001 is sufficient mitigation for some obstruction of the current view from 12th Street of the Academy Site and Academy Building. Those proceeds will contribute directly to the restoration of the Academy Site and Academy Building.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

The entire Providence Academy site, which includes Aegis Mixed-Use Development Phases 1 and 2, and the Providence Academy and daycare, is currently accessed via four driveways, with two accesses off E. Evergreen Boulevard (one at the east end that will remain and one at the west end), one off C Street, and one off of E. 12th Street. The west E. Evergreen Boulevard, C Street and E. 12th Street driveways will be relocated as shown on the Aegis Mixed-use Development Phase 1 plans. Additionally, the parking garage will be accessed off the internal circulation drive extension of E. 12th Street

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

The general geographic area around the site is served by public transit, with a transit route and stops running along E. Evergreen Boulevard, C-Tran routes #25 and 32. Other routes

in the area that run along Broadway Street and the balance of downtown Vancouver are routes #2, 30, 39, 47, 60, 71 and 105.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

Parking within the CX zone for residential uses requires one space per dwelling unit for the multi-family use per VMC Table 20.945.070-1. However, a 25% reduction is allowed within the Transit Overlay per VMC Table 20.550.040-5

Required parking for Phase 1 was 154 stalls for both the commercial and multi-family uses. With the 25% Transit Overlay reduction and 22 existing on-street parking stalls, 94 stalls were required. Required parking for Phase 2 is 206 stalls. With the 25% Transit Overlay reduction, 155 stalls are required. As such, total required parking for both phases is 249 parking stalls (94 + 155).

Phase 2 will provide 287 parking stalls (refer to the Preliminary Site Plan for more information). Full buildout of both Phases 1 and 2 will require 249 parking stalls (94 stalls plus 155 stalls). Upon full buildout of Phases 1 and 2, there will be 383 total parking stalls, which will be located on Phase 1 (74 stalls), along the private internal circulation drive extension of E 12th Street (18 stalls), along adjoining C Street (8 stalls), along the adjoining public portion of E 12th Street (14 stalls), along the fire lane east of Building E (3 stalls) and within the parking garage (266 stalls). The parking breakdown will consist of 340 standard parking stalls (which includes 17 ADA stalls) and 43 compact stalls.

According to the Pre-Application Conference report, the Providence Academy building is 75,830 square feet and the daycare is 2,200 square feet, for a total of 78,030 square feet. Required parking for both the Academy and the daycare totals 78 parking stalls (78,030 square feet / 1,000 square feet). With the 25% Transit Overlay reduction, 59 stalls are required. The existing parking located in the southeast corner of the Academy site currently consists of 37 parking stalls. However, The Historic Trust will be moving forward with a site plan review application for improvements on the balance of parcel 39220-000 to provide parking lot improvements and increase parking in this area sufficient to meet Providence Academy parking requirements. Preliminary designs indicate 86 parking stalls are proposed. As such, there will be sufficient parking to accommodate continued use of the Providence Academy and the daycare. In the interim, however, there will be sufficient parking located on both Phase 1 and Phase 2, as well as the existing stalls located on the Academy site, to meet all site parking needs (249 stalls for both Phases 1 and 2, 59 stalls for the Academy equals 308 required stalls for the entire site, with 383 stalls provided with Phases 1 and 2 plus the existing 37 parking stalls in the southeast corner of the Academy site).

In discussions with City of Vancouver staff, the project will be conditioned on redevelopment of the Providence Academy's southeast parking lot to provide fire access around the east side of the parking garage and Building E as well as sufficient parking for the Providence Academy building.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

Frontage improvements along the internal circulation drive portion of the E. 12th Street extension will include new parking and sidewalks.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

Based on these proposed multi-family use, the project will generate 1,121 new average daily trips with 74 new AM peak hour trips and 91 new PM peak hour trips. Refer to the [Aegis Mixed-Use Development Phase II Transportation Compliance Letter](#), provided by H. Lee and Associates, dated February 14, 2020, submitted with this application, for more information.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

Pay traffic impact fees, comply with the City of Vancouver transportation standards and satisfy any mitigation measures as proposed by the traffic engineer.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

A possible increase in fire and police protection would be needed because of development on the site.

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

Pay taxes, construct on-site utilities (water, sanitary sewer, natural gas and other utilities), pay hookup fees and other utility charges such as System Development Charges and monthly operational charges, and pay traffic, school and park impact fees.

16. Utilities

- a. Circle utilities currently available at the site: [\[help\]](#)
 electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other
Cable

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

There is an existing 18-inch water line located within E. 12th Street, an existing 8-inch water line located within E. Evergreen Boulevard, and a proposed 8-inch water line to be located on site as part of the Phase 1 improvements. This project assumes fire protection and domestic water services will be provided by connecting to the proposed 8-inch line located on site installed with Phase 1 and extending the line further east and south. This

8-inch line will be extended south and will tie into the existing 8-inch line in E. Evergreen Boulevard when the Academy improves the parking lot area in the southeast portion of their property. Easements will be provided over all water lines as required by the City of Vancouver. New hydrants will be proposed as required. Refer to the Engineering Plans for more information.

There is an existing 8-inch sanitary sewer line located within E. 12th Street and a proposed 8-inch sanitary sewer line to be located on site as part of the Phase 1 improvements. Sanitary sewer service for the proposed buildings will be provided by extending sanitary laterals from the proposed on-site sanitary main. Easements will be provided over all sanitary sewer lines as required by the City of Vancouver. Refer to the Engineering Plans for more information.

C. SIGNATURE [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Robert G. Johnson

Position and Agency/Organization: President, Marathon Acquisition & Development, Inc.

Date Submitted: 2-18-2020

ATTACHMENT 6



P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

**Pre-Application Conference
Community & Economic Development Department**

Conference Date: October 24, 2019 @ 10:00 am

Case File: Aegis at Providence Academy Phase II
PRJ-163699/PIR-76663

Description: Phase II of Aegis Development at the Providence Academy site.

Site Location: 400 E. Evergreen Blvd.

Property Tax Lot ID: 39220001 and 986035621

Contact Gene Bolante, Studio 3 Architecture, 275 Court St. NE, Salem, OR 97031

Applicant: Aaron Wigod, 30050 SW Town Center Loop West, Suite 200

Property Owner: Academy Development LLC, c/o Mike Williams, 750 Anderson Street, Vancouver, WA 98661

Comprehensive Plan: Commercial

Zoning Designation: City Center CX

Case Manager: Keith Jones, Senior Planner 360-487-7887

Neighborhood Assoc(s): Esther Short

37 **PROCEDURAL NOTE**

38 The comments provided are preliminary and intended only to assist the applicant in identifying
39 pertinent issues regarding general city of Vancouver requirements as of the date of the pre-
40 application conference. These comments are based on a preliminary review of the information
41 presented and/or available at the time of the pre-application conference. Any changes to the
42 proposed development after the meeting date may void comments made in this report. These
43 comments are in no way implied or intended to be final in their nature or inclusive of all city
44 regulations and requirements that may apply.

45
46 **Please note: All preliminary land use applications must be submitted electronically through**
47 **ePlans. Go to this website for more information on submitting electronically:**
48 <http://www.cityofvancouver.us/ced/page/eplans>.

49
50 **APPLICABLE STANDARDS**

51 The application shall include a **comprehensive** narrative addressing how the development
52 complies with the standards outlined below, including a description of the uses proposed for the
53 site, and a construction schedule.

- 54
- 55 **VMC Title 11: Streets and Sidewalks**
- 56 **VMC Title 11.70: Concurrency**
- 57 **VMC Title 14.04, 14.10, and 14.16: Water and Sewers**
- 58 **VMC Title 14.24: Erosion Control**
- 59 **VMC Title 14.25: Stormwater**
- 60 **VMC Title 14.26: Water Resource Protection**
- 61 **VMC Title 16: Fire Code**
- 62 **VMC Title 17: Building and Construction**
- 63 **VMC Title 20: Zoning/Land Division/SEPA**
- 64 **Revised Code of Washington (RCW)**
- 65

66 **GENERAL SITE INFORMATION:**

Zoning District	CX
Adjacent Zoning Designation	CX
Comprehensive Plan Designation	Commercial
Parcel Size	39220001: 1.63 acres and 986035621: 0.89 acres
Adjacent Land Uses	Hotel, Restaurant, Residential, Academy Building, Pre-school
Access Roads	E. 12 th Street
Existing Vegetation	Trees grass
Existing Structures	Academy Laundry Building, Boiler Building and Stack
Topography	Mostly flat
Geologic Hazards	No mapping indicators
Seismic Hazard	No mapping indicators
Habitat and Species Impacts	No mapping indicators
Flood Plains	No mapping indicators
Wetlands	No mapping indicators
Archaeology	Level B and Site Buffers
Drainage Basin	Columbia Slope
Wellhead Protection	Critical Aquifer Recharge Area (not in wellhead protection area)

Soils	Non-Hydric / LgB
Park Impact Fee District	District A
School Impact Fee District	Vancouver
Impacted Schools	Hough ES, Discovery MS & Hudson Bay HS
Traffic Impact Fee District	Columbia
Transportation Analysis Zone	18
Sewer District	Vancouver
Water District	Vancouver
Fire Service	Vancouver
Neighborhood Association	Esther Short

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KEY ISSUES

1) Parking and Phasing

Each phase of the project including the main Academy building must meet minimum parking requirements. See response to Section 20.945.

2) 50-foot view corridor

One or two view corridors must be provided on 12th Street looking south to the Academy site. It is not clear that the site plan meets this requirement. The applicant must justify how the project complies. See response to Section 20.510.

3) Historic Buildings and Demolition

The site plan identifies the removal of the abandoned laundry and boiler buildings. The process for demolition of historic structures must be completed before Phase II can be approved as proposed. See required process below.

In addition, a separate SEPA planned action determination must be made prior to demolition of historic structures. The applicant will need to address the specific mitigation measures related to historic structures as stated in the Planned Action Ordinance (Ordinance Number: M-3833).

ZONING COMMENTS Keith.jones@cityofvancouver.us 360-487-7887

REQUIRED PROCESSES:

Based on the submitted materials the following processes are required to complete the proposal:

- **New Development - Site Plan Review** (Type I Planned Action process)
- **New Development - Design Review** (Type 1 with City Center Redevelopment Authority (CCRA) and Clark County Historic Preservation Commission (CCHPC) advisory review)
- **Exterior Alteration to Historic Structures** – Staff decision with advisory review by the CCHPC.
- **Demolition Historic Structures** – Demolition of a historic structure requires approval from the CCHPC per 20.510.040 with public notice of hearing provided as stated in 20.510.050A.3.c.i. The Building Official can deem the building unsafe and order the building to be demolished without CCHPC approval (20.510.050.3.a).

106 **CITY CENTER REDEVELOPMENT AUTHORITY (CCRA)**

107 **The developer shall arrange to have the project reviewed by the City Center Redevelopment**
108 **Authority. This would be triggered by the submittal of the design review application.** The
109 CCRA assists with and facilitates the redevelopment of property within the Vancouver City Center
110 Vision (VCCV) plan area. The subject site is located within the VCCV.

111
112 **The CCRA meets on the third Thursday of each month at 11:50am in the Council Chambers.**
113 **Plans for the development need to be submitted at least two weeks in advance of the meeting**
114 **so that the plans can be forwarded to the Commissioners. The developer or the developer's**
115 **representative is expected to attend the meeting to present the project and answer questions.**

116
117 **CLARK COUNTY HISTORIC PRESERVATION COMMISSION:**

118 The property is listed on the National Register of Historic Places. The property is located in the
119 City of Vancouver Heritage Overlay District - Number One. Heritage Overlay Number One was
120 established specifically for the House of Providence (The Academy) site. As such, the Clark County
121 Historic Preservation Commission (CCHPC) acts in an advisory capacity to City staff for new
122 construction within the Heritage Overlay; and as the decision authority for demolition requests
123 within the Heritage Overlay District.

124
125 **APPLICABLE TIMELINES:**

126
127 **Fully Complete Review**

128 Per VMC 20.210.050.D, no later than twenty-eight (28) calendar days after receipt of the
129 development application or request for review, the review authority shall notify the applicant as
130 to the completeness of the application. An application shall not be deemed fully complete until all
131 information necessary to evaluate the proposed activity, its impacts, and its compliance with the
132 provisions of the Vancouver Municipal Code and other applicable codes and statutes has been
133 provided to the satisfaction of the review authority.

134
135 **Notice of Application**

136 Type I decisions do not include a notice. However demolitions of historic structures that require
137 approval by the CCHPC under 20.510.040 must be noticed under 20.510.050A.3.c.i., including
138 placing a legal notice in the local newspaper and mailed to all property owners within 500 feet
139 of the site within 30 days of the CCHPC hearing.

140
141 **Land Use Decision**

142 A decision shall be made within 60 days as specified by Section 20.210.050.H, and shall include:
143 1. A statement of the applicable criteria and standards pursuant to the Vancouver Municipal
144 Code and other applicable law;
145 2. A statement of the facts as to how the application does or does not comply with
146 applicable approval criteria; and
147 3. The reasons for a conclusion to approve or deny; and
148 4. The decision to deny or approve the application and, if approve, conditions of approval
149 necessary to ensure the proposed development will comply with applicable law.

150
151 Following the decision there is a 14-day appeal period for the project. Once the appeal period
152 has expired it is the applicant's responsibility to submit final engineering and planning plan sets
153 that include any requested changes through the staff report and decision.

154
155 The applicant may submit a building application with the land use application or anytime
156 thereafter. However, building permits may not be issued until preliminary land use approval has

157 been issued and the Civil Plans are approved and a signed copy is forwarded to Building
158 Inspection services.

159

160 **VANCOUVER CITY CENTER VISION AND SUBAREA PLAN**

161 The Vancouver City Center Vision and Subarea Plan was adopted in June of 2007. The
162 proposed development is located within the Central Downtown District in the Plan. The VCCV
163 estimates 401,000 square feet of retail, 2,425,000 square feet of office, 4,551 residential units,
164 591,000 square feet of institutional and 260 hotel rooms. All of the 4,551 residential units have
165 been taken with approved and completed developments within the VCCV. However, the VCCV
166 plan provides flexibility to respond to market trends and allows shifting from the office use
167 category to residential use as long as the impact characteristics are similar and the overall
168 impacts do not exceed plan targets. At this time there is capacity remaining in the office
169 category. Based on past approvals 505 square feet equates to one dwelling unit. As of the date
170 of the pre-application, 827,786 square feet of office capacity remain in the VCCV.

171

172 **The applicant must provide additional environmental analysis, supplemental to the VCCV,**
173 **which shows that the overall environmental impact of the development will not exceed that**
174 **impacts identified in the VCCV Supplemental Environmental Impact Statement (see response**
175 **to SEPA Section 20.790 below).**

176

177 **ZONING DISTRICT (VMC 20.430):**

178 Per Table 20.430.030-1, Multi-Dwellings are an “L” limited use in the City Center (CX) zone. Per
179 Footnote 42 of the use table, ground floor residential is allowed within the CX zone with the
180 exception of properties fronting Main Street between Sixth Street and Mill Plain. Since the
181 property does not front Main Street, ground floor residential is allowed on this site and the
182 limitation is not applicable.

183

184 **DEVELOPMENT STANDARDS (VMC 20.430.040-1):**

Standard	Required	Existing/Proposed
Minimum lot size	None	N/A
Maximum lot coverage	100%	N/A
Minimum lot width	None	N/A
Minimum lot depth	None	N/A
Minimum setbacks	None	N/A
Front yard	15 feet on Evergreen Blvd. per Section 20.510 Heritage Overlay	N/A
Rear yard	None	N/A
Rear through-street	None	N/A
Side yard	None	N/A
Street side yard	None	N/A
Between buildings on site	None	N/A
Maximum height ¹	0, 75 and 75 to 200 feet per Figure 20.630-4, Chapter 20.510 (Heritage Overlay) and the FAA	Approximately 76 feet
Minimum landscaping requirement (percentage of total net area)	None	NA

185

186 **DEVELOPMENT AGREEMENTS (VMC 20.250):**

187 A development agreement is in effect that allows the non-conforming parking area to remain until
188 December 31, 2024.

189
190 **DESIGN REVIEW (VMC 20.265):**

191 The applicant must review all of the design standards and guidelines and prepare a narrative
192 response to each item. The applicant must submit preliminary plans, sketches, elevations and
193 concepts prior to, or submit final plans at the time of, application for a building permit or
194 preliminary site plan review as applicable.

195
196 **The Planning Official shall review the proposed design based on the criteria listed in VMC
197 20.265.040 and issue a decision.** The approval must precede the issuance of a development
198 permit.

199
200 **Design Review Approval Criteria (VMC 20.265.040)**

- 201 1. The requirements, guidelines, and applicable provisions of this Title that are applicable to the
202 zoning district where the property is located and including all additional zoning regulations
203 which may apply to the use or to its area by provision for overlay district, or made
204 applicable by any conditional use or variance approval;
- 205 2. The Downtown Design Guidelines Manual kept on file and available for public inspection at
206 the Community Development Department or VMC 20.640 Vancouver Central Park Plan
207 District, as applicable;
- 208 3. The relationship found to exist between existing structures and open space, and between
209 existing structures and other structures in the vicinity, and the expected effect of the proposed
210 construction upon such relationships;
- 211 4. The impact of the proposed construction on adjacent uses, including impact of new or revised
212 parking and pedestrian uses; and
- 213 5. The protection of neighboring uses from identifiable adverse effects of the design of the
214 proposed construction.

215
216 **Submittal materials should include elevation drawings of the building, color and material
217 samples, and a narrative explaining how the development meets the Downtown Design
218 Guidelines.**

219
220 A copy of the City’s Downtown Design Guidelines is available on the City’s website at:
221 <http://www.cityofvancouver.us/upload/images/EconDev/downtowndesignguidelines.pdf>
222

223 **Please address in narrative form how the proposed development meets the design
224 guidelines. Specifically, address how the proposed development is compatible with the
225 surroundings.**

226
227 **20.270 Site Plan**

228 Site plan approval shall be effective for a period of five years from the date of approval.

229
230 **20.270.050 Approval Criteria**

231 To approve a site plan application, the applicant must demonstrate the following:

- 232 A. *Compliance with applicable standards – the proposed development shall comply with all
233 applicable design and development standards contained in this Title and other applicable
234 regulations.*
- 235 B. *Adequacy of public facilities. The applicant shall demonstrate availability of adequate public
236 services.*

237

238 **COMMERCIAL and MIXED-USE DISTRICTS (VMC 20.430):**

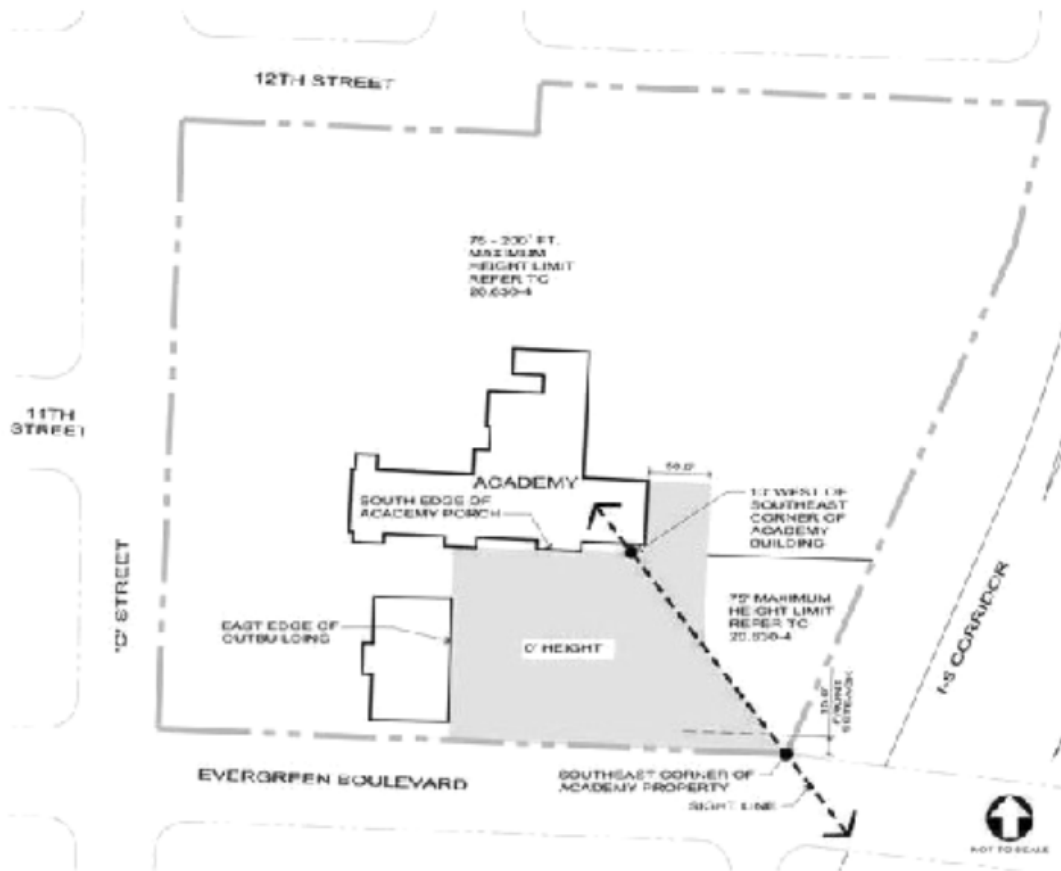
239 Vancouver offers a multi-family tax exemption for qualifying projects. For more information,
240 please refer to the website: [https://www.cityofvancouver.us/ced/page/multi-family-tax-](https://www.cityofvancouver.us/ced/page/multi-family-tax-exemption-program)
241 [exemption-program](https://www.cityofvancouver.us/ced/page/multi-family-tax-exemption-program)

242
243 **HERITAGE OVERLAY DISTRICT (VMC 20.510):**

244 The House of Providence (The Academy) site is designated as Heritage Overlay District - Number
245 One. The overlay district has special regulations that are intended to preserve the unique open
246 space around the main building and to preserve views of the Academy building and grounds
247 from the east entrance of Evergreen Boulevard heading to downtown.

248
249 The specific regulations include the following:

250
251 a. Construction shall not be allowed in the identified (0 ft) height limit area shown and described in
252 the diagram below. New construction in the identified (75 ft) area and the (75 ft - 200 ft) area shall
253 comply with VMC20.630.050 and the standards and guidelines of this section VMC20.510.020.



254
255 b. A view corridor of 50 feet in width and a 0 foot height limit from approximately 11th Street
256 looking east to the Main Academy building shall be preserved. In addition, there shall be one or two
257 view corridors with a 0 foot height limit looking south from 12th Street into the Academy site which
258 shall be a cumulative total of 50 feet in width.

259
260 **A view corridor(s) must provide a total of 50 feet viewing area into the Academy site. This is**
261 **shown at the access point. It is not clear how the current view meets this requirement.**
262 **Provide more evidence on how a view corridor to the Academy site is maintained.**

263

264 c. All new construction shall be similar in materials and texture to that of the main Academy building,
265 and shall be primarily composed of brick facing, similar in color to that of the main building.

266
267 **Applicant shall demonstrate how the new buildings are composed primarily of brick.**

268
269 d. No sign shall be installed on the main Academy building above the first story. Free-standing signs
270 on the property shall be limited to directional signs and necessary for parking and traffic control,
271 and a limited number of signs advertising businesses on the premises containing an aggregate
272 signage area of not more than 100 sq ft. No sign or sign structure shall be more than 10 feet in
273 height above the ground level.

274
275 **Wall signs for the building will meet the City Sign Code Section VMC 20.960, freestanding**
276 **signs will be limited to the requirements of this section. The applicant show commercial wall**
277 **sign location areas on the building elevations.**

278
279 e. New construction shall minimize the removal of existing, mature trees exceeding 30 feet in height,
280 and such construction shall be so located and designed as to preserve views of the main Academy
281 building from East Evergreen Boulevard between the freeway and C Street, and shall preserve a
282 setback from East Evergreen Boulevard of not less than 15 feet for open space and substantial
283 planting, and such setback area shall not be used for parking.

284
285 **The applicant must submit a Level V Tree Plan and the plan must address preservation of**
286 **mature trees on the site and include a survey of tree locations prepared by a licensed land**
287 **surveyor. DBH, condition and species to be prepared by an arborist (see response to Tree**
288 **Conservation Section 20.770 below).**

289
290 **Historic Review Process**

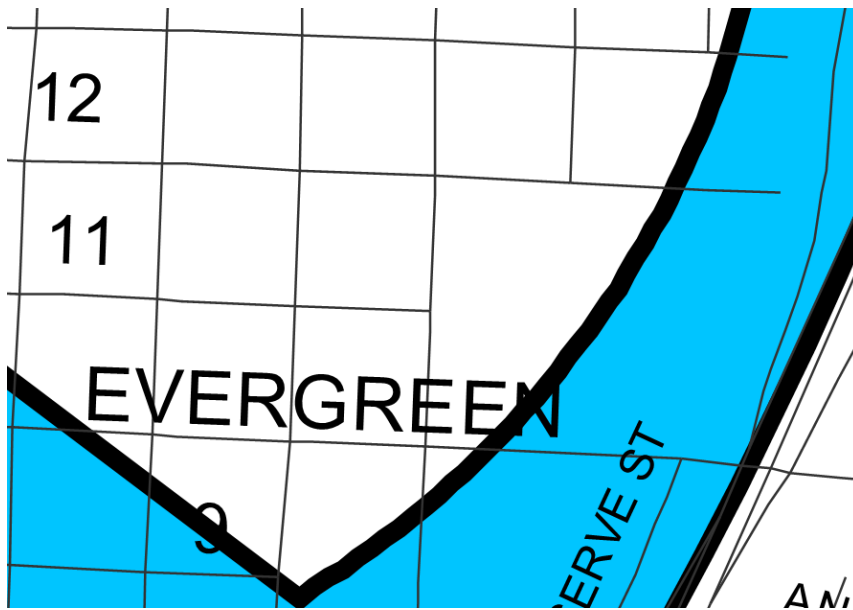
291 The property is in the City Heritage Overlay and on the National Historic Register. However, the
292 property is not listed on the local registry and therefore the Clark County Historic Preservation
293 Commission (CCHPC) will act in an advisory capacity to City staff for new construction and as the
294 decision authority for demolitions of historic structures.

295
296 City staff requires an official advisory CCHPC meeting be held during the processing of the land
297 use application. The application for this meeting will be submitted to City staff and forwarded to
298 County staff for scheduling of the meeting. The CCHPC application submittal requirements follow
299 the County requirements for Historic Design Review (see Application Standards for Design Review
300 found in the Clark County Historic Preservation Program Rules & Procedures on the County
301 website [https://www.clark.wa.gov/sites/default/files/dept/files/community-](https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/Historic/HPC_Rules_Procedures.pdf)
302 [planning/Historic/HPC_Rules_Procedures.pdf](https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/Historic/HPC_Rules_Procedures.pdf))

303
304 **NOISE IMPACT OVERLAY DISTRICT (VMC 20.520):**

305 The noise impact overlay covers part of the Academy site and it appears that the overlay touches
306 some of the proposed buildings.

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The regulations of this district apply to all new residential structures. An application for a project with three or more residential units shall request approval as part of site plan review.

The Noise Impact Reduction Plan must include the following:

1. A map of the property, drawn to scale, and an identification of the sources of noise that result in noise impacts on the property to Ldn levels of 65 or greater.
2. A statement of the methods proposed to be used to accomplish sound reduction.
3. A statement that the applicant has consulted with any agency or corporation responsible for managing noise generated by a source identified in 20.520.020 VMC, and a certification by the applicant that the proposed construction is designed to reduce sound impacts within structures on the property so as to mitigate any conflict between the noise source and the use of the residential building as a dwelling.
4. A time schedule for construction of the project that clearly shows that sound reduction will have been accomplished prior to any occupancy of the rooms for residential use.
5. An estimate of the Ldn values outside of the proposed building, and an evaluation of the dBA level of single impacts, and a statement by the applicant that the existence of noise levels is acknowledged to exist, as governed by Section 20.520.060 VMC below.

Based on the Noise Impact Reduction Plan required in Section 20.520.040 VMC above, all regulated structures shall be constructed with sound insulation or other means which are rated to provide a decibel reduction sufficient to achieve a day/night average interior noise level of 45 Ldn for that specific property. **A Washington licensed professional engineer or registered architect, knowledgeable in acoustical engineering or design, shall certify that the building plans are adequate to reduce interior noise levels to 45 Ldn or less. In preparing this certification the engineer or architect:**

1. Must take into account the construction materials, type of foundation, soil type and other physical factors of the site in the evaluation.
2. Must use the ANSI, ISO, ASTM, or another nationally accepted standard for the transmission coefficients of various materials, and may assume all openings, e.g. doors and windows

344
345 3. In lieu of Subsection (1) or (2) above, the applicant's engineer or architect may accomplish the
346 certification by a study of existing structures located within the same Ldn Noise Contour and
347 vicinity, e.g., block, subdivision, park or moorage, to determine the expected noise level of the
348 proposed structure(s).
349

350 In lieu of certification by a registered engineer as provided above, an applicant may use standard-
351 wall construction as provided in Reference Section 20.520.050-1, provided that the standard
352 construction is rated to provide enough sound insulation that, when such rating is subtracted from the
353 Ldn value established in the Noise Impact Reduction Plan, the average interior noise level will be
354 reduced to 45 Ldn or less.
355

356 As a condition of a permit for residential use within the Noise Impact Overlay District, the applicant
357 shall sign and record a disclosure statement in a form provided by the City consistent with this
358 Chapter. Such statement shall clearly document that the premises may be adversely affected by
359 noise. The statement shall also reference any Noise Impact Reduction Plan applicable to the
360 property, and the applicant shall agree to provide a copy of this statement to all prospective
361 purchasers or tenants of the property who intend to occupy the structure as a dwelling. A signed
362 copy of such statement and proof that it has been recorded with the County Auditor must be
363 presented to the Planning Official prior to issuance of any such permit.
364

365 **TRANSIT OVERLAY DISTRICT (VMC 20.550):**

366 The project is within Tier One of the City's Transit Overlay District. The provisions of the Transit
367 Overlay ordinance are voluntary and incentive based. The transit overlay provisions allow for the
368 reduction in the required parking to 75% of the standard, and the counting of on-street spaces
369 abutting the site for developments that are not exclusively residential. See the parking section of
370 this report for more detail.
371

372 **AIRPORT HEIGHT OVERLAY DISTRICT (VMC 20.570):**

373 The site is located within the Horizontal Surface Area of the Airport Height Overlay District. The
374 Horizontal Surface Area is 180 feet above mean sea level (AMSL). The ground surface of the
375 north end of the site is approximately 105 to 107 feet mean sea level based on Google Earth.
376 Based on 105 to 107 foot elevation, a building may extend 73 to 75 feet above ground level
377 (AGL). The applicant proposes a building height of 75-76 AGL. This is a rough estimate, the
378 applicant must obtain approval of a determination of no hazard from the FAA to confirm
379 maximum height and FAA requirements. The applicant is also required to contact the Pearson
380 Airport Manager to make sure the airport does not have requirements for the development.
381

382 **In addition, the applicant shall obtain separate FAA approval of no hazard for any
383 construction cranes to be used.**
384

385 **DOWNTOWN PLAN DISTRICT (VMC 20.630):**

386 **Building Lines (VMC 20.630.020)**

387 Figure 20.630-1 indicates that the Building Lines provision does not apply to the House of
388 Providence (The Academy site).
389

390 **Rain Protection (VMC 20.630.030)**

391 Figure 20.630-2 indicates that the Rain Protection provision does not apply to the House of
392 Providence (The Academy site).
393

394 **Since the site is not within the Building Lines or Rain Protection areas, projections into the**
395 **right-of-way are limited to those allowed by the Downtown Design Review Guidelines and**
396 **include awnings, canopies and upper floor balconies and bay windows.**

397
398 **Blank Walls (VMC 20.630.040)**

399 Figure 20.630-3 indicates that the Blank Walls provision is applicable to the Evergreen, C Street
400 and the western portion of the 12th Street frontage, 12th Street frontage from C Street to D
401 Street.

402
403 All new construction and major reconstruction along certain street frontages must provide windows
404 and entrances or other features.

405
406 Along a frontage containing a required building line, at least 75% of the width of any new or
407 reconstructed first-story building wall facing a street shall be devoted to interest-creating
408 features, pedestrian entrances, transparent show or display windows, or windows affording views
409 into retail, office or lobby space.

410
411 The determination of whether a proposed building arrangement meets the intent, purposes and
412 requirements of preceding Sections, or qualifies for exemptions provided, shall be made in
413 accordance with the procedures as part of the Design Review process, as governed by Chapter
414 20.255 VMC.

415
416 **Maximum Building Height (VMC 20.630.050)**

417 Per VMC Figure 20.630-4, the maximum building height can be between 75 feet to 200 feet.

418
419 The low number of the range identifies the maximum building height (inclusive of any roof-top
420 appurtenance) that may be achieved outright. The high number of the range identifies the
421 conditionally allowed maximum building height limit (inclusive of any roof-top appurtenance).

422 The following conditions apply with an increase in building height above the low number of any
423 given range:

- 424 1. Up to 50% increase in building height (inclusive of any roof-top appurtenance), is allowed
425 outright, provided such increase in height complies with FAA regulation, Part 77, as certified
426 by the FAA, through issuance of a determination of no hazard to air navigation, and will not
427 affect the safe and efficient use of navigable airspace.
- 428 2. Over 50% and up to the high number of a given range, increase in building height (inclusive
429 of any roof-top appurtenance), may be allowed by the Planning Official through the site plan
430 review process upon making the following findings:
- 431 a. Such increase in height complies with FAA regulation, Part 77, as certified by the FAA,
432 through issuance of a determination of no hazard to air navigation and will not affect the
433 safe and efficient use of navigable airspace; and
- 434 b. The gross floor area of the building at each floor over 50% above the low number of any
435 given range and up to the high number of a given range shall not exceed 12,000 square
436 feet.

437
438 In addition the Heritage Overlay VMC 20.510.020 does not allow construction in front of the main
439 Academy building on Evergreen Blvd. and limits height to 75 feet between the main Academy
440 building and I-5. The proposed new buildings do not appear to be in this limited height area.

441
442 **Please show the overall height of the proposed building and show how it meets the above**
443 **requirements. (see response to Section 20.750 Airport Height above)**

444
445 **Parking Control (VMC 20.630.060)**

446 The district is intended to prevent disruption of pedestrian circulation; to provide for smooth traffic
447 flow; to prevent excessive use of downtown land for parking; to ensure the most efficient
448 provision of parking facilities; to preserve the continuity of retail use and building frontage in the
449 downtown shopping area; and to protect the public health and safety.

450

451 Per VMC Figure 20.630-5, the site is located within the **limited surface parking area**.

452

453 Limited surface parking is allowed. The applicant proposes a parking structure and some surface
454 parking on Phase I and to serve the existing Academy building, this approach complies with this
455 section.

456

457 **ARCHAEOLOGICAL RESOURCE PROTECTION (VMC 20.710):**

458 An archeological survey was prepared for the site and submitted to Washington State
459 Department of Archaeology and Historic Preservation (DAHP).

460

461 **Permits from DAHP will be required prior to issuance of any permits for ground disturbing
462 activities. The applicant should consult with their archaeologist regarding the permit process.**

463

464 **TREE CONSERVATION (VMC 20.770):**

465 A Level V Tree Plan is required. A Level V must be prepared by an arborist certified by the
466 International Society of Arboriculture or foresters certified by the Society of American Foresters.
467 Refer to VMC 20.770.050 for the Level V tree plan requirements. Tree density calculations are not
468 required in the CX zone.

469

470 Tree protection measures shall be shown on the grading and erosion control plans.

471

472 Per VMC 20.770.100.C, the tree maintenance requirements shall apply in perpetuity to
473 developments that are multi-family residential developments in excess of four units, commercial and
474 industrial. The applicant shall execute a covenant in a form agreeable to the City which shall require
475 that the applicant and his successors comply with the maintenance requirement imposed by this
476 section. The covenant shall be binding on successor property owners and owners' associations. The
477 covenant shall be recorded by the county auditor.

478

479 **Comments from the City's Urban Forester**

480 Per VMC20.770.010 A7. Implement the goals and objectives of Low Impact Development (LID)
481 from the Washington State Department of Ecology as required in the Western Washington Phase
482 II Municipal Stormwater Permit. LID shall be the preferred and commonly -used approach to site
483 development. Projects shall be designed to minimize impervious surfaces, native vegetation loss,
484 and stormwater runoff in all types of development situations.

485

486 Design project to minimize native vegetation loss to the maximum extent feasible. This requires
487 examining multiple design options to minimize native vegetation loss.

488

489 Existing trees, vegetation and soils are critical elements of the environment. Mature trees provide
490 a greater amount of biomass than newly planted trees, contributing to shading of pavements and
491 improving air and water quality. Trees are part of the City's history and character. Protection,
492 care and maintenance is required as part of construction activities and permit requirements of this
493 Project.

494

495 Level V Tree, Vegetation and Soil Plan is required. The assistance of a qualified professional is
496 required to develop this plan. The project shall protect existing trees, vegetation and soils and

497 incorporate them into Tree, Vegetation and Soil Plan. This includes evaluation of trees, vegetation
498 and existing soils and incorporating these existing resources into the design of the project.
499

500 Per VMC. 20.770.070 B. 1. When there are feasible and prudent location alternatives on site for
501 proposed building structures or other site improvements, existing native vegetation and trees are
502 to be preserved, even if the minimum tree density is exceeded. This may require site redesign
503 including, but not limited to: redesign of streets, sidewalks, stormwater facilities, utilities; changing
504 the shape and size of the parking lot; reducing or limiting proposed site grading; and changing
505 the locations of buildings or building lots. Provided, where necessary, density transfer areas per
506 VMC 20.940 may be used to ensure protection and retention of trees. The City can and will
507 require site redesign if the existing trees and vegetation are not incorporated into the design of
508 this Project.
509

510 Additionally, since nearby trees on WashDoT property to the east may be close enough to be
511 impacted by the development, the applicant shall locate, describe, and show the critical root
512 zones of these abutting trees so that a determination can be made whether or not the trees will
513 be adversely impacted by the development.
514

515 To meet density plant a mix of Incense Cedars and Douglas firs 15-20 feet on center in groupings
516 and 20 feet from existing trees throughout development to create a ridge line that reflects the
517 Northwest landscape. Limit Western Red Cedars due to drought/climate stress. Create greenway
518 corridors through tree canopy connecting this development to and across adjacent properties. Per
519 VMC: Replacement trees shall optimize tree diversity; include native species and at least 60%
520 conifers; utilize insect and disease resistant trees. **Include native evergreen calculation of 60%
521 with tree density calculations.** Per VMC: Spacing of trees to be planted shall be such that it
522 provides for the eventual mature size of the trees. Keep trees 10 feet from buildings to provide
523 enough root space for trees to mature.
524

525 Include tree, vegetation and soil protection measures, standards and details on Grading Plan and
526 Tree, Vegetation and Soil Plan. This shall include soil quality requirements per BMP T5.13 Post
527 Construction Soil Quality and Depth for all areas subject to clearing and grading that have not
528 been covered by impervious surface, incorporated into a drainage facility or engineered as
529 structural fill or slope. The Tree, Vegetation and Soil Plan is also required as part of the Storm
530 Water Site Plan (refer to Stormwater Section of preapp).
531

532 Explore options to manage and treat storm water using Silva Cell technology so that the project
533 does not have to set aside land for storm water and to reduce future maintenance.
534

535 Plant shade trees and conifers to maximize shade in parking area off approved list such as
536 Wildfire Black Tupelo (*Nyssa sylvatica* 'Wildfire') European Hornbeam (*Carpinus betulus*) Ginkgo
537 (*Ginkgo biloba*) or Oregon White Oaks (*Quercus garryana*), Incense Cedars, and Douglas firs.
538

539 **SEPA REGULATIONS (VMC 20.790):**

540 A SEPA review of this proposal is typically required based on the size of the building and amount
541 of parking. In this case, the project falls within a planned action subarea (Vancouver City Center
542 Vision Subarea Plan) in which the SEPA information has already been reviewed. Determination of
543 whether the application can qualify as a planned action project is determined by the following
544 criteria.
545

546 1. The proposed project is located within the geographic area of an identified planned action
547 subarea and the proposed project's impacts are within the thresholds identified within the
548 applicable planned action ordinance, subarea plan and EIS;

- 549 • The site is within an identified planned action subarea; located within the Central Downtown
550 subarea of the Vancouver City Center Vision and Subarea Plan.
551
- 552 2. The zoning designation upon the property upon which the project is proposed is consistent with
553 those designations analyzed in the subarea plan and EIS adopted for the planned action
554 subarea;
555 • The zoning of the site has not been amended since the adoption of subarea plan on June 18,
556 2007.
557
- 558 3. The use(s) and intensity of use(s) proposed are among or consistent with the uses and intensity
559 of uses identified in the planned action ordinance, subarea plan and EIS, adopted for the
560 planned action subarea;
561 • The subarea plan permits, office and retail uses in this area.
562
- 563 4. The proposed project's environmental impacts, both project-specific and cumulative, have
564 been adequately addressed and analyzed in the subarea plan and EIS for the planned action
565 subarea;
566 • The applicant must demonstrate the impacts have been adequately addressed.
567
- 568 5. The proposed project implements the goals and policies of the applicable subarea plan and is
569 consistent with the City's Comprehensive Plan;
570 • The applicant must demonstrate the proposed project implements the goals and policies.
571
- 572 6. The proposed project's significant environmental impacts will be adequately mitigated or
573 avoided through application of the mitigation measures and other conditions required by the
574 planned action ordinance, subarea plan or EIS for the planned action subarea;
575 • The applicant must show the proposed project's significant environmental impacts will be
576 adequately mitigated or avoided through application of the mitigation measures and other
577 conditions
578
- 579 7. The proposed project is in compliance with all applicable local, state, and federal regulations
580 and development standards;
581 • The applicant must demonstrate the project is in compliance with all applicable local, state,
582 and federal regulations and development standards.
583
- 584 8. The proposed project is within the Vancouver Urban Growth Boundary;
585 • The site is within the city limits and the VUGB.
586
- 587 9. The proposed project meets the requirements for designation as a planned action set forth in
588 Section 43.21C.031 RCW, Section 197-11-164 WAC, and Section 20.790.630 VMC;
589 • The applicant must demonstrate the project is in compliance with all applicable local, state,
590 and federal regulations and development standards.
591
- 592 10. The proposed project meets any other criteria for designation as a planned action project set
593 forth in the applicable planned action ordinance.
594 • The applicant must demonstrate the project meets any other criteria for designation as a
595 planned action project set forth in the applicable planned action ordinance.
596
- 597 Additional information on this issue can be found at:
598 http://www.cityofvancouver.us/sites/default/files/fileattachments/community_and_economic_development/page/1415/vccvfinalplan2010revision.pdf
599
600

601 Please provide a completed environmental checklist as part of the application submittal and pay
602 special attention to the historic and cultural preservation section of the checklist. Also address the
603 VCCV residential capacity as stated under the SEPA Section 20.790 Vancouver City Center Vision
604 and Subarea Plan as stated earlier in this report.
605

606 **In addition, a separate SEPA planned action determination must be made prior to demolition**
607 **of historic structures. The applicant will need to address the specific mitigation measures**
608 **related to historic structures as stated in the Planned Action Ordinance (Ordinance Number:**
609 **M-3833).**

610
611 **IMPACT FEES (VMC 20.915):**

612 Impact fees are calculated at the time of project approval **not pre-application**. Currently impact
613 fees are calculated as follows:
614

615 Transportation impact fees will be required prior to issuance of building permits. The project is
616 located within the Columbia Subarea which requires \$163 per trip. Transportation impact fees will
617 be determined based on the trip generation report submitted with the application. The following is
618 the formula for calculating the transportation impact fee:

619
$$\text{TIF} = \text{Average Daily Trips} \times \$163 \times .85$$

620

621 **School Impact Fees** are assessed per multi-family unit. The site is located in the Vancouver School
622 District, which is \$2,381.93 per multi-family unit.
623

624 **Park Impact Fees** are assessed per apartment. The site is located in service area A, which is \$1,639
625 per apartment.
626

627 **LANDSCAPING (VMC 20.925):**

628 There are no minimum landscape requirements in the CX zone. **However, a landscape plan is**
629 **required for hardscape and landscape areas provided including the parking lot landscaping.**
630 **Further landscaping is part of the Design Review application.**
631

632 Minimum 2" caliper street trees are required every 30 feet along street frontages. The tree
633 species must be indicated on the plans, and be approved by the city forester.
634

635 **Utilities, Mechanical Equipment and Trash/Recycling Enclosure Screening (20.945.070-1)**

636 Except for one-family and two-family dwellings, any solid waste container or recycling or disposal
637 area and ground-level service facilities such as gas meters and air conditioners which would be
638 visible from a public street, parking area, or any residentially-zoned property shall be screened
639 from view a solid wood fence, evergreen hedge or masonry wall. All refuse materials shall be
640 contained within the screened area.
641

642 **Landscaping Plan Preparation Requirements (20.925.110)**

643 This section contains requirements for landscape plan preparation. pay attention to the following:

- 644 ➤ Applies to any development, except individual lots for single family or duplex structures
645 ➤ Complete description of plant materials shown on the plan, including common and botanical
646 names, quantities, spacing, container or caliper size at installation, and mature height and spread;
647 ➤ Calculation of total site area, setback areas, required buffer areas, paved vehicular use areas,
648 required proportional landscape areas, and required plant quantities and types;
649 ➤ Section 20.925.115 requires that that **a licensed landscape architect** provide a certificate
650 verifying that the landscaping indicated on the final landscape plan has been installed.
651

652 **Parking Lot Landscaping and Buffering (20.945.040-l)**

653 *Perimeter Landscaping*

- 654 ➤ The perimeter of the parking lot shall be effectively screened as follows:
655 • Next to a street - 3-foot tall sight-obscuring fence, wall or evergreen planting

656
657 *Interior Landscaping (Parking lots with more than 20 parking spaces)*

- 658 ➤ Minimum of 10% of the parking and maneuvering areas, not including driveway areas, must be
659 landscaped.
660 • Paths made of paving stones, flagstones, bricks, pavement, or similar materials may
661 provide access across landscaped areas (impermeable materials does not count toward
662 the required landscaped area).
663 ➤ **Perimeter landscaping cannot substitute for interior landscaping.** (Interior landscaping may
664 join perimeter landscaping as long as it extends at least 4-feet into the parking area from the
665 perimeter landscape line.)
666 ➤ Interior landscaping must be dispersed throughout the parking area.
667 ➤ No more than an average of 10 parking spaces shall be placed side by side without an
668 intervening break provided by a circulation aisleway, pedestrian walkway, or landscaping. If
669 an average of no more than 10 side-by-side stalls is maintained overall, up to 15 stalls may be
670 located side-by-side. Where landscaping provides a break in the group of spaces, the
671 landscape island shall extend at least 1' into the circulation aisleway to provide a visual
672 narrowing of the circulation aisleway. (Section 20.945.030.O.4)
673 ➤ Trees required as follows:
674 • One tree every 10 parking spaces (existing trees can count)
675 • One tree per landscape island
676 • Broadleaf – min. 2-inch caliper
677 • Conifer – min. 5-foot tall
678 ➤ Shrubs required as follows:
679 • One shrub per 30 square feet
680 • Min. one gallon container
681 • One tree per landscape island
682 • Broadleaf – min. 2-inch caliper
683 • Conifer – min. 5-foot tall
684 ➤ Ground cover required not planted with shrubs or trees as follows:
685 ➤ May include grasses
686 ➤ Native Plants Encouraged

687
688 In addition, adherence to the Vision Clearance requirements found at VMC 20.985 will be required.
689 These standards limit the height of fences, hedges, walls, berms etc. at street intersections and
690 service driveways.

691
692 **Comments from the City's Urban Forester**

693
694 Street trees are required for all projects fronting on a public street or private street. Street trees
695 shall be between 20-30 feet on center depending on conflicts such as street lights. Street trees
696 shall not be more than 30 feet on center. Street trees shall not be closer than 15 feet to street
697 lights. Retain existing street trees in good condition along E 12th St. Fill in any gaps along E 12th St
698 by planting: Bloodgood London Plane Tree (*Platanus x acerifolia* 'Bloodgood') or Green Mountain
699 Maple (*Acer saccharum* 'Green Mountain'). All street trees must be at least 2 inches in size or
700 greater and have high heads which means no lower branches. Any deviation shall be approved
701 by the City's Urban Forester.
702

703 Proposed bioretention facilities located within the right of way shall design around required street
704 trees.

705
706 Street trees are required as part of new development projects and considered city infrastructure
707 that provides numerous services to the community. Street trees are not viewed as sight
708 obstructions; and can be located in sight distance triangles.

709 At completion of construction all new landscaped areas within this project shall have compost
710 amended soils. All existing landscaped areas within project shall have 3 inches of compost
711 applied to the top of the landscaped areas, keeping the compost 3 inches from tree trunks.

712
713 **Landscaping and Screening Requirements.** Plant 1 (one) tree per 30 lineal feet along all
714 property lines. Plant a mix of Incense Cedars and Douglas firs 15-20 feet on center in groupings
715 and 20 feet from existing trees for screening and to create a ridge line that reflects the
716 Northwest landscape.

717
718 Include this note on Civil Plans:

719 **Trees and Shrubs in Sight Distance Triangles:**

720 All shrubs within sight distance triangles shall be maintained so that foliage height above
721 pavement does not exceed 2.5 feet. Street trees within sight distance triangles shall be limbed up
722 to a height of 10 feet consistent with ANSI A300 standards to provide for sight distance visibility.

723

724 **TreeCAP Recognition Program**

725 Make our community a greener place as a TreeCAP tree steward business, organization, or
726 resident. Through the Tree Canopy Achievement Program (TreeCAP), the City of Vancouver
727 recognizes and rewards community members who go above and beyond to help build a healthy
728 urban forest. We encourage developers and property owners to be leaders in our community by
729 seeking Bronze, Silver, or Gold Leaf Recognition through TreeCAP. Awardees not only improve
730 the health and beauty of our community, they also help the City of Vancouver reach our tree
731 canopy goal of 28% citywide by 2030. For more information on this voluntary recognition
732 program and how to participate, contact City's Urban Forester @ [360-487-
733 8328](tel:360-487-8328) or charles.ray@cityofvancouver.us.

734
735 Contact the Urban Forestry Program for the approved Tree Selection List for Tree Units and Soil
736 Amendment information.

737

738 **PARKING and LOADING (VMC 20.945):**

739 Minimum parking must be in place to support all phases of the project. Minimum parking
740 for each phase is calculated as follows:

741

742 **Phase I**

743 140 dwelling units

744 7,020 Square Feet of Commercial

745 Parking Required: 147 (based on 1 space per unit and 1 space per 1,000 SF commercial)

746 Reductions:

747 25% Transit Overlay Reduction: 110 spaces

748 On-street parking (commercial uses only): -7

749 ➤ Total Required Phase I: 103 spaces

750

751 **Academy**

752 75,830 SF Main Building

753 2,200 Pre-school Building

754 Total SF: 75,030

755 Parking Required: 75
 756 Reductions:
 757 25% Transit Overlay Reduction: 56 spaces
 758 On-street parking (commercial uses only): -15 (22 on-street spaces, 7 used for Aegis)
 759 ➤ Total Required Academy: 41 spaces

761 **Phase II**

762 214 dwelling units
 763 Parking Required: 214 (based on 1 space per unit)
 764 Reductions:
 765 25% Transit Overlay Reduction: 161 spaces
 766 ➤ Total Required Phase I: 161 spaces

768 Currently the non-conforming parking supports the Academy main building and must be
 769 upgraded to current code by December 31, 2024 per the development agreement or the
 770 development agreement will need to be extended.

771
 772 The applicant should provide a phasing plan as to how each phase will be supported so
 773 there is no loss of minimum parking at any point in the development phasing including
 774 parking for the Academy and both phases of Aegis. The nonconforming parking under the
 775 development agreement can be used to support Aegis Phase I and the Academy minimum
 776 parking require and avoid building surface parking that would need to be removed for
 777 Phase II. However, the nonconforming parking would need to stop being used by the end
 778 of the development agreement, December 31, 2024 or the agreement would need to be
 779 extended.

780
 781 Space and aisle dimensions.

Table 20.945.040-2 Space and Aisle Dimensions						
	Standard Stall Dimension		Compact Stall Dimension		Aisle Width Dimension	
Angle (degrees)	Stall Width (feet)	Stall Depth (feet)	Stall Width (feet)	Stall Depth (feet)	1-Way Aisle Width	2-Way Aisle Width
0	20	8	8	18	12	20
45	9	17	8	15	14	20
60	9	17	8	15	16	22
90	9	17	8	15	22	22

- 782
 783 1. Designated disabled parking stalls which meet minimum dimensional requirements shall be
 784 counted as standard size parking stalls and shall be provided as required by applicable
 785 State of Washington and the City Adopted Building Code, as amended for disabled person
 786 parking spaces.
 787
 788 2. The width of each parking space includes a stripe that separates each space.
 789
 790 3. Up to 50% of all required on-site vehicular parking spaces may be compact spaces. Such
 791 spaces shall be marked as “compact” or “C”.
 792

793 4. Other parking angles, such as but not limited to 30 degrees or 75 degrees may be approved
794 by the Planning Official, with dimensional requirements consistent with those illustrated in
795 Table 20.945.040-2.

796

797 Per VMC 20.945.040, the minimum parking space dimensions are as follows:

798 1. Standard Size: Width = 9 feet, Depth = 17 feet

799 2. Compact Size: Width = 8 feet, Depth = 15 feet.

800 (Up to one half of required spaces may be compact sizes with the exception of temporary
801 lots, in which case there is no limit as to the proportion of compact size spaces.)

802

803 The required number of accessible and van accessible parking spaces shall comply with IBC
804 Section 1106 and WAC 51-50-1106.

805

806 Parking structure dimensions and design shall be subject to review and approval by the
807 Transportation Manager.

808

809 Entrance/Exit Design. Adequate vision clearance shall be provided so that motorists leaving a
810 parking structure have a clear view of the sidewalk on either side of the exit, and so that
811 approaching pedestrians have a clear view of any approaching vehicle. Parking structure
812 entrances and exits shall be designed to achieve travel speeds not to exceed 5 miles per hour,
813 and shall require a vehicle stop directly prior to crossing the street sidewalk. Entrance and exit
814 areas shall be designed so that vehicles approaching or leaving the parking structure can queue
815 to enter/exit the traffic stream without blocking the sidewalk.

816

817 Parking Structure Internal Design and Pedestrian Circulation. Parking structure internal circulation
818 design shall include provisions for the safe and convenient circulation of pedestrians. Design speed
819 shall not exceed 10 miles per hour, and traffic control measures shall be provided at any location
820 where vehicle circulation crosses a pedestrian walk way.

821

822 Per VMC 945.040(D), parking spaces shall not be permitted in any setback except as otherwise
823 specified in this title.

824

825 Per VMC 20.945.040(F), except for single-family and duplex dwellings, groups of 2 or more
826 parking spaces shall be served by a driveway so that no backing movements or other
827 maneuvering within a street or other public right-of-way is necessary.

828

829 Per VMC 20.945.040(H), multi-family, commercial, industrial and institutional uses are required to
830 meet certain pedestrian access, circulation and connection standards. This includes interconnecting
831 the site with pedestrian pathways.

832

833 Per VMC 20.945.040(I)(2), any off-street parking area other than for a single-family or duplex
834 dwelling, shall be effectively screened by a site-obscuring fence, wall, or evergreen planting on
835 each side, which adjoins property situated in a residential zone, or the premises of any school or
836 like institution, or a public or private street. Screening along public streets shall be 3 feet in
837 height; screening between properties shall be 6 feet in height.

838

839 Per VMC 20.945.040(L), parking spaces along the boundaries of a parking lot or adjacent to
840 interior landscaped areas or sidewalks shall be provided with a wheel stop or bumper rail at
841 least 6 inches high, located 2 feet back from the front of the parking stall. The front 2 feet of the
842 parking stall may be concrete, asphalt or low lying landscape material that does not exceed the
843 height of the wheel stop, provided sidewalks or other pedestrian paths are not obstructed.

844

845 Per VMC 20.945.040(M), parking lot design and drainage shall be subject to the review and
846 approval of the Director of Public Works.

847
848 Per VMC 20.945.040(N), any lighting used to illuminate the off-street parking areas shall be
849 arranged so that it will not project light rays directly upon any adjoining property in an R District.
850 All off-street parking areas larger than 5,550 square feet shall be required to provide adequate
851 illumination.

852
853 **SIGNS (VMC 20.960):**
854 No signs are proposed at this time. Future proposals must adhere to the standards found at
855 VMC 20.960.

856
857 **SOLID WASTE DISPOSAL AND RECYCLING (VMC. 20.970)**
858 The proposed development at 400 E Evergreen Blvd with 206 multifamily units, commercial/retail
859 space, amenities and parking will need to plan for solid waste, per VMC 20.970. Informed
860 design and planning for solid waste at the time of site plan and building design will maximize
861 collection service efficiencies, safety and cost, and reduce or eliminate the need for solid waste
862 collection work-arounds.

863
864 The preliminary site plan indicates interior storage of waste in Building D with access onto
865 12th Street; however the space does not meet the minimum requirements. It appears that tenants
866 on the ground floor will have to interact with garbage compactor which Solid Waste does not
867 support. The applicant will need to further **design adequate storage space, including space on**
868 **each floor, and plan for access by collection vehicles.** Specific requirements and considerations
869 are noted below.

870
871 **Multifamily Solid Waste Storage Volume Requirements**
872 Applicants are required to use the methodology described in **VMC 20.970.030(D)(1)** to calculate
873 proposed development's solid waste storage needs for the multifamily portion of the building.
874 Calculations for the total volume of storage needed for each waste stream noted below.

# Units		Total weekly storage volume	Waste Stream
206 UNITS (proposed)	x 32 gallons =	6,560 gallons / ~32.5 cubic yards <i>Equivalent of just over four 4- yd garbage dumpsters picked up twice weekly OR three 2- yd compacted garbage picked up three times a week</i>	Garbage
206 UNITS (proposed)	x 48 gallons =	9,840 gallons / ~48.7 cubic yards <i>Equivalent of five wheeled 4- yd mixed recycling /cardboard dumpsters and nine 95-gal recycling carts picked up twice weekly</i>	Mixed recycling
206 UNITS (proposed)	x 8 gallons =	1 648 gallons <i>Equivalent of thirteen 64-gal glass carts picked up twice weekly</i>	Glass

Note: Approx. 202 gallons = 1 cubic yard

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- Property owners/managers must provide convenient recycling locations accessible to residents. Per **VMC 20.970.030(D)(1)**, maximum distance from residential unit to the closest garbage/recycling room shall be no more than 150 feet. Vertical distance can be included in the 150' distance requirements.
- Multifamily complexes typically use 95-gallon carts for mixed recycling storage; carts are approximately 4' x 4' each. Complexes larger than 20 units are required to include space for a cardboard container; approximately 8.6' x 5' and typically 3 to 4-yards in capacity (606-808 gallons equivalent).
- Recycling containers/roll carts should be located with garbage containers to improve recycling convenience and participation. Where shuts for both garbage and recycling are proposed there should be space for glass cart in trash room on every floor as well as space to deposit large cardboard boxes.
- Per **VMC 20.970.030(D)(1)**, residents should not use compactors to dispose of their garbage. Compactors are intended for commercial and industrial use by trained personnel. Convenient recycling locations for residents must be provided.
- Per **VMC 20.970.040(B)(3)**, exterior enclosures should have a smaller gate or entrance for residents.
- Per **VMC 20.970.040(A)(6)**, enclosure areas can be relocated to parking spaces so long as parking requirements are met, refer to VMC 20.945 for minimum parking space requirements.
- Per **VMC 20.970.040(A)(7)**, interior or exterior waste storage areas shall be accessible for collection vehicles and not obstruct pedestrian or vehicle traffic movement on the site or public streets or sidewalk.

- 900
- Per **VMC 20.970.040(D)(2)** consideration should be given to the weight and size of containers to allow safe movement to an accessible loading point for the truck.
 - Collection trucks will need to safely circulate the development; the largest trucks are recycling trucks, which are 34.5' long with a turning radius of approximately 35'. AutoTurn templates for these trucks are available for download from the city's website; <https://www.cityofvancouver.us/publicworks/page/truck-turning-radius>, consult solid waste staff for which truck template to use. If you require the truck dimensions in another format, please contact staff.
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909 **Commercial (non-residential) Solid Waste Storage Requirements**

910 The commercial space totals less than 20% of the gross floor area, therefore their solid waste storage needs will be accommodated in the space required by the multifamily portion of the building. If the commercial GFA increases to 20% or more, than space for garbage/recycling services will be required.

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915 Calculations for the minimum footprint area for solid waste are found in **VMC 20.970.030(D)(2)**, noted below.

916

917

918 *Nonresidential buildings shall provide a minimum storage area of 100 square feet plus:*

919

- b. Retail: 10 sq. ft./1,000 sq. ft. of GFA*
- 920

921 Waste Connections' guidelines for commercial solid waste collection recommend the space needed by container type: recycle/glass/food waste cart: 4' x 4' each, stationary containers (larger than 4 yards capacity): 8.6' x 8', moveable 'wheeled' containers (4 yards or smaller capacity): 8.6' x 5'. Waste Connections also recommends a 55' clear approach to stationary containers and 12' wide gate or opening for direct access by a truck.

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926 **Specific to this Proposal**

- Plan to accommodate required containers for multifamily residential portion of the site (based on 205 units) to be collected twice weekly (as per calculations above):
 - *Three 2-yard dumpsters for garbage. Maximum dumpster size for compacted garbage is 2-yard.*
 - *Nine 95-gallon recycling carts, staff recommend planning space carts on each floor; and five 4-yard mixed recycling dumpsters in the ground floor waste room.*
 - *Thirteen 64-gallon carts for glass, one on each floor; and two in the ground floor waste room.*
 - It appears that tenants on the ground floor will have to interact with garbage compactor which Solid Waste does not support.
 - **Provide a set of scaled drawings that include the following details:**
 - Detail interior trash/recycling room(s) including showing receptacles, chutes, balers and/or compactor units (if any) – compactor size and container size in cubic yards. The number of receptacles and sizes to be included in plans.
 - Indicate the collection location for garbage and recycling receptacles (on street or on-site) ensuring that requirements of **VMC 20.970.040(A)(7)** are met.
 - Provide room dimensions and label all rooms intended for waste collection on plans.
 - To ensure adequate storage capacity for solid waste services the scale of containers shown on plans needs to be based on the following footprints:
 - mixed recycling, glass or food waste: 4' x 4' cart
 - cardboard/mixed recycling or garbage: 8.6' x 5' dumpster
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- 949 • **Provide convenient ground-floor access**, such as a waste room that can be accessed
950 directly by building and/or retail staff and the hauler for staging full containers prior to
951 and after collection.
- 952 • **Consider movement of material throughout the building.** Future plans may require
953 providing a dedicated lift, ramp or mechanized equipment to move full containers long
954 distances or from below grade to street level for staging/collection access. Mechanical
955 assistance (i.e. motorized pushcart) for efficient transferring of receptacles and worker
956 safety is recommended.
- 957 • It is anticipated that solid waste collection will occur early in the morning or after peak
958 AM hours for the site.
- 959 • Limiting the size of solid waste storage area can create higher or additional operational
960 costs related to multiple pickups, access charges and roll out charges for solid waste
961 collection.

962 Connect with city solid waste staff for additional assistance in planning for the waste needs
963 associated with this project. Anna Gibb, Solid Waste Services, 360-487-7161,
964 anna.gibb@cityofvancouver.us
965

966 GENERAL ENGINEERING

967 Public improvements are typically required for a new development. One or more engineering
968 disciplines usually require Civil Plans. *Preliminary* and *Full Civil Plans* shall be stamped by a
969 Washington State licensed civil engineer.
970

971 In the standard permit review process, the land use approval usually precedes the civil plan
972 review process. **Streamlined projects in the alternative 90-day review process require Full Civil
973 Plans with the initial land use application to start the civil plan review process.** For land use
974 approval only, *Preliminary Civil Plans* are sufficient to show whether it is feasible for a project to
975 meet engineering requirements. *Preliminary Civil Plans* to be uploaded include conceptual
976 drawings and preliminary engineering reports. Depending on the project, *Preliminary Civil Plans*
977 may or may not need all the items listed below for Civil Plans. The purpose of *Preliminary Civil
978 Plans* is to provide City engineers enough information to make a fully complete determination,
979 meaning the application contains sufficient information to make a land use decision of approval,
980 approved with conditions or denial. It does not mean that the application meets applicable
981 standards. Refer to each engineering discipline's section within this document and, if needed,
982 contact the engineer assigned to determine *Preliminary Civil Plan* requirements for a fully
983 complete application. The engineer assigned for each discipline is listed at the top of each section.
984

985 After the fully complete review process, City staff documents findings and requirements for the
986 proposed project within a staff report. The applicant's next step is to follow the staff report
987 requirements and if required start the civil plan review process by uploading *Full Civil Plans* with
988 engineering reports. *Full Civil Plans* shall provide an engineering design which is 90% complete
989 with all necessary plans, profiles, cut sections, details and reports.
990

991 The civil plan review process is a comprehensive engineering review process in which *Full Civil
992 Plans* are submitted to the City, redlined by City staff and returned to the applicant for revision.
993 Civil Plans for a typical development include the following:
994

- 995 • Cover Sheet
- 996 • Existing Conditions Plan
- 997 • Site Plan and/or Preliminary Plat
- 998 • Tree/Landscape Plan

- 999 • Grading and Erosion Control Plan
- 1000 • Stormwater Plan
- 1001 • Water/Sewer Plan
- 1002 • Street Design Plan(per Transportation’s Standard Drafting
- 1003 Requirements)
- 1004 • Signing and Striping Plan
- 1005 • Street Lighting Plan
- 1006 • Stormwater Report
- 1007 • Traffic Study
- 1008 • Trip Generation and Distribution Report
- 1009 • Trip Compliance Letter
- 1010 • Trip Generation Letter
- 1011 • Road Modification Request
- 1012

1013 The civil plan review process is repeated until the Civil Plans meet all applicable standards upon
 1014 which *Final Civil Plans* are requested. *Final Civil Plans* receive conditional approval for
 1015 construction. Conditions of approval for the proposed project will be determined by City staff
 1016 and thoroughly outlined in a ‘Plan Approval Letter (PAL)’ addressed to the applicant. After *Final*
 1017 *Civil Plan* approval occurs, the conditions outlined in the ‘PAL’ must be met by the applicant in
 1018 order to obtain final acceptance, occupancy and/or final plat approval. Conditions for a typical
 1019 development are listed below:

- 1020 ✓ Obtain all construction permits such as a grading permit, right of way permit,
- 1021 and an approved traffic control plan prior to the start of construction.
- 1022 ✓ Schedule and attend a preconstruction meeting with Construction Services.
- 1023 ✓ Construct the civil improvements and obtain a written ‘Completion of
- 1024 Construction’ from City inspection.
- 1025 ✓ Ensure erosion control measures are in place and functioning properly.
- 1026 ✓ Submit engineering stamped as-built drawings and CAD file of utilities and
- 1027 transportation improvements for review and approval.
- 1028 ✓ Submit a utility costs and quantities breakdown.
- 1029 ✓ Execute and submit all necessary documents for recording such as; public utility
- 1030 easements, utility covenants, deeds of dedication, and bills of sale.
- 1031 ✓ Obtain and submit street and stormwater maintenance bonds.
- 1032 ✓ Pay all applicable sewer and/or water main fees.
- 1033 ✓ Other conditions will apply depending on the project.
- 1034

1035 Written ‘Final Acceptance’ of the constructed public improvements will be granted only after all
 1036 conditions listed in the ‘Plan Approval Letter’ are met.

1037
 1038 Sanitary sewer and water System Development Charges (SDC) are collected prior to issuing a
 1039 water meter and building occupancy. Sewer and water connection fee estimates are provided by
 1040 the engineering counter upon request, (360) 487-7804.

1041
 1042 **References:**

1043 The design and construction of water, sewer, erosion control and stormwater systems shall be in
 1044 accordance with the current *City’s General Requirements and Details for the Design and Construction*
 1045 *of Water, Sanitary Sewer, and Surface Water Systems*; available online at www.cityofvancouver.us
 1046 on the Building, Planning & Environment tab under Engineering Review.

1047 Transportation development information and details are available online at
1048 www.cityofvancouver.us on the Building, Planning, & Environment tab under Transportation
1049 Development Review.

1050 The standard detail sheets may be omitted from the design plans by referencing the General
1051 Requirements on the civil plan cover sheet, using the 'Standard Detail Waiver Note' found on the
1052 City website under the same headings as the General Requirements listed above.

1053 The Vancouver Municipal Code is available online at www.cityofvancouver.us on the City
1054 Government tab under Municipal Code.

TRANSPORTATION	Jennifer.patrick@cityofvancouver.us 360-487-7720
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1055 **E 12TH Street**

- 1057 • E 12th Street is designated a Neighborhood Circulator along the western portion of the
1058 project. Existing right-of-way and pavement width appear adequate along the project
1059 frontage of E 12th Street. The applicant shall ensure that all public improvements are within
1060 the right-of-way. Right-of-way dedication may be required. **Showing the right-of-way
1061 dimension on the preliminary and civil plans is a Fully Complete item.**
- 1062 • E 12th Street is designated a Private Street along the eastern portion of the project. Existing
1063 easement and pavement width appear adequate along the project frontage of E 12th Street.
1064 The applicant shall ensure that all public improvements are within the easement. **Showing the
1065 easement dimension on the preliminary and civil plans is a Fully Complete item.**
- 1066 • The existing road along the property frontage of E 12th Street includes asphalt roadway,
1067 curb, detached sidewalks, and storm drainage.
- 1068
- 1069 • Per T10-14, the detached sidewalk shall be a minimum of 5 feet wide with a 4 foot planter
1070 strip. However this development is within the VCCV so the sidewalk along E 12th Street shall
1071 meet the heritage sidewalk; therefore a new 9 foot wide heritage-style sidewalk shall be
1072 constructed per T02-02 and as required in the VCCV subarea shall be constructed
1073
- 1074 • The applicant shall install City of Vancouver standard frontage improvements along E 12th
1075 Street including heritage sidewalks up to the new sidewalk being constructed along the Aegis
1076 Phase I project limits, street lighting, traffic control devices as warranted, and storm drainage
1077 (as required by the City Stormwater Ordinance).
- 1078
- 1079 • Trenching shall be restored per T05-04 A&B and T05-06 A&B. Asphalt restoration shall meet
1080 T05-01 B and T05-07. A single continuous width restoration is required.
- 1081
- 1082 • Per VMC 11.80.050 (H), a statement with the following language is required on the face of
1083 any plat or short plat containing a private street:

1084
1085 *WARNING: City of Vancouver has no responsibility to improve or maintain the private streets*
1086 *contained within or private streets providing access to the property described in this plat, nor*
1087 *does the City of Vancouver have responsibility for any of the infrastructure associated with the*
1088 *roadway such as sidewalks, drainage facilities, street lights, curbs, or landscaping.*
1089

- 1090 • Per VMC 11.80.050 (I), where private streets are included in plats/subdivisions that include
1091 conditions, covenants and restrictions (CCRs), the CCRs must include the following statement:
1092

1093 *WARNING: City of Vancouver has no responsibility to improve or maintain the private streets*
1094 *contained within or private streets providing access to the property described in this plat, nor*
1095 *does the City of Vancouver have responsibility for any of the infrastructure associated with the*

1096 roadway such as sidewalks, drainage facilities, street lights, curbs, or landscaping.

1097

1098 *The CCRs also must include terms and condition of responsibility for liability, maintenance,*
1099 *maintenance methods, standards, distribution of expenses, remedies for noncompliance with the*
1100 *terms of the agreement, right of use easement, and other considerations.*

1101

1102 • Per VMC 11.80.050 (J), the city will not maintain streets, signs, street lights, or drainage
1103 improvements associated with a private street. Prior to final inspection and approval of a
1104 private street, a maintenance agreement must be recorded with the Clark County Auditor as a
1105 covenant running with the land for any and all parcels served, or potentially served. The
1106 agreement must set forth the terms and conditions of responsibility for liability, maintenance,
1107 maintenance methods, standards, distribution of expenses, remedies for noncompliance with
1108 the terms of the agreement, right of use easements, and other considerations. The agreement
1109 also must include the creation of a private street maintenance fund and the annual assessment.

1110

1111 • Termination points of sidewalks shall have a temporary asphalt pedestrian ramp per City
1112 Standard Plan T02-10, for transition to the street pavement.

1113 • **Signing and striping plans are required even if the applicant isn't proposing any new**
1114 **striping in the Public Right of Way. If no new striping is proposed the plan shall**
1115 **demonstrate what exists.**

1116

1117 • Street lighting is required on private streets per VMC 11.80.050 (L) and public streets per
1118 VMC 11.80.090. Any substandard street lighting shall be required to be upgraded to current
1119 city standards as part of this project.

1120

1121 **Street lighting shall be installed and/or updated to meet the design standards per City**
1122 **Standard Plans T21-01A through T21-01D. If the applicant proposes to retain the existing**
1123 **lighting or install lighting that exceeds the maximum spacing requirement a photometric**
1124 **analysis will be required to ensure the lighting level standards are met. If the maximum**
1125 **spacing per T21-01A is met, the photometric analysis is not necessary.**

1126

1127 **Photometrics shall be analyzed in zones. Zones for each direction of travel of a straight**
1128 **roadway are done in luminance method. Intersections, sidewalks, and curved roadway**
1129 **sections are their own zones and done in illuminance. Average maintained luminance is**
1130 **measured in candela per square meter. Veiling luminance shall be shown. Average**
1131 **maintained illuminance is measured in foot-candles. Stationing is a required item on the**
1132 **lighting plans.**

1133

1134 **IES files for lighting software can be obtained from lighting manufacturer. Use lighting**
1135 **materials from the COV approved material list.**

1136

1137 **New lights will be LED and existing HPS lights will be retrofitted to LED unless otherwise**
1138 **noted by Traffic.**

1139

1140 **Any new or existing lights that are within ten feet of primary power and/neutral lines,**
1141 **will require the developer to raise the power lines. The developer will need to work with**
1142 **Clark Public Utilities for requirements and costs.**

1143

1144 Per City of Vancouver Street Lighting Policy; where existing street lights are mounted on Clark
1145 Public Utilities wood poles, the street lights shall be changed to current standards. However,
1146 when no roadway or sidewalk improvements are being installed within an existing

1147 neighborhood, the use of an aerial design with a **Type W** standard (wood pole mounting) may
1148 be approved by the City's Transportation Engineer.

1149

1150 **VCCV Pedestrian and Bicycle Amenities**

- 1151 • **The VCCV Subarea plan assumes a high trip mode capture for pedestrians and bicyclists.**
1152 **Developers shall demonstrate site design and provision of facilities for bicyclists and**
1153 **pedestrians to utilize trip reduction rates for these modes.**

1154

1155 Bicycle parking design standards are outlined in VMC 20.945.050. A bicycle parking design
1156 guidelines booklet which illustrates the standards is available free of charge at Transportation
1157 Services.

1158

1159 City staff welcomes the opportunity to work with the applicant to provide bicycle parking with
1160 this project. For more information on bicycle facilities, please contact Long Range Planning at
1161 487-7728.

1162

- 1163 • Road Modifications shall meet the requirements of VMC 11.80.160 and be submitted with the
1164 governing application. **Road Modification submittal is a Fully Complete item.**

1165

General Transportation Comments

- 1166 • **Full-width and half-width street sections are required with all civil plan submittals.** The
1167 sections shall reference the standard plan number and include site specific soil types. The
1168 sections shall indicate full-width right-of-way and pavement dimensions in addition to the
1169 proposed improvements.

1170

- 1171 • Street Cut Permits shall be required anytime street cut work is performed in the right-of-way.
1172 Street Cut Permits shall be obtained from Engineering Services at Development Review at
1173 487-7804.

1174

- 1175 • Street signing and striping shall be installed by the Developer. All street signs and striping
1176 shall be installed per the MUTCD. **A signing and striping plan shall be included in the civil**
1177 **plans as directed by the Traffic Department.**

1178

- 1179 • The City of Vancouver may revise, limit or prohibit street or driveway access movements
1180 where such movements may create dangerous or hazardous conditions. Such restrictions may
1181 include, but are not limited to driveway removal or relocation, installation of medians or
1182 curbing, and access restricting driveway design. (11.80.080, 11.80.110)

1183

- 1184 • ADA compliant pedestrian ramps per VMC 11.80.070 shall be placed at all intersections and
1185 where pedestrian crossing will occur. New ADA regulations require the use of truncated
1186 domes for all ramps as follows:

<u>LOCATIONS</u>	<u>COLORS</u>
All Brick Ramps	White
Streets with a majority of residential frontage and infill developments	Brick Red
Non-residential arterial streets and new residential development	Safety Yellow

1187

- 1188 • Per the International Fire Code, Section 503, a minimum 20 feet of unobstructed width is
1189 required for Fire Department apparatus access on all streets more than 200 feet in length.
1190 For all streets between 36 feet and 28 feet curb-to-curb paved width, “No Parking” signs
1191 shall be posted on one side, per City Standards, at the Developer’s expense. For all streets
1192 less than 28 feet curb-to-curb paved width, “No Parking” signs shall be posted on both sides,
1193 per City Standards, at the Developer’s expense.
1194
- 1195 • Transportation review and inspection fees will be collected prior to civil engineering plan
1196 approval.
1197

Sight Distance and Vision Clearance Triangles

- 1199 • Public and private streets, public alleyways, controlled and uncontrolled intersections and
1200 driveways shall comply with the sight distance requirements of VMC 11.80.140 and the
1201 current version of *A Policy on Geometric Design of Highways and Streets (AASHTO)*. A sight
1202 distance analysis shall be provided in the applicant’s traffic study or in a document for
1203 projects that do not require a traffic study.
1204
- 1205 • Vision clearance requirements shall be met per VMC 20.985 and City Standard Plan T04-04.
1206
- 1207 • *Vision clearance shall also be demonstrated on the site plan, plat, landscape plans and civil plans.*
1208

Street Lighting

- 1210 • Street lighting pole/fixture layout on plans shall be approved by the City of Vancouver.
1211 Street lighting power/wiring design on plans shall be coordinated with Clark Public Utilities
1212 (CPU). New contactor cabinets and service may be required. For additional information,
1213 contact CPU directly at 360-992-3000.
1214

Parking and Circulation

- 1216 • Per VMC 20.945.40(A). Review Authority. Parking lot design and drainage shall be subject
1217 to review and approval of the City Transportation Manager.
1218
- 1219 • At the time of application, the applicant shall submit turning movement diagrams to and
1220 through all access points, drive aisles and turnarounds utilizing the largest vehicle template
1221 anticipated.
1222
- 1223 • Pedestrian access to the fronting arterial roadway shall meet the requirements of VMC
1224 20.945.040 (H) and VMC 20.914.020 (7).
1225

Contact

- 1226
- 1227
- 1228 • For additional information or questions, please contact Eric Hahn at (360) 487-7702 or via
1229 email at Eric.Hahn@cityofvancouver.us.
1230

Standard Details and Procedural information

- 1232 • **Effective June 1, 2008 Transportation Services has implemented Transportation
1233 Development Review Services (TDRS) Drafting Standards for transportation improvement
1234 civil plan submittals. By setting expectations on submittal requirements the Drafting
1235 Standards will provide mutual benefits to the City and to the development in reducing
1236 review times and the number of reviews.**
1237

1238 **Local civil engineering firms have been notified of the implementation and have been**
1239 **provided with a copy of the standards. The standards are also available on the web at:**
1240 **<http://www.cityofvancouver.us/transreview.asp?menuid=10463&submenuID=17481&itemID=19572>.**
1241

1242 Per the Transportation Services Development Review Drafting Standards dated June 2007,
1243 page 4, the applicant is required to submit a base map for the proposed project at as-built
1244 stage to be designed on the City of Vancouver coordinate system.

1245 • **The City of Vancouver recently completed an update to the Vancouver Municipal Code,**
1246 **Title 11, Streets and Sidewalks. These changes took effect as of November 15, 2012 and**
1247 **will be applied to all new applications submitted thereafter. The revised Title 11 sections**
1248 **can be found at the following link:**

1249 **<http://www.cityofvancouver.us/vmc?tid=325&throbber=1>**
1250

1251 • **The City of Vancouver has revised standard details effective April 2, 2018. The latest**
1252 **standard details may be referenced as part of the Transportation General Notes; with the**
1253 **exception of street standard plan cross-sections. Standard plan cross-sections must appear**
1254 **on the civil plans.** The files are available on the City of Vancouver web site:

1255 **[http://www.cityofvancouver.us/publicworks/page/transportation-development-review-](http://www.cityofvancouver.us/publicworks/page/transportation-development-review-and-capital-standard-plans-details)**
1256 **[and-capital-standard-plans-details](http://www.cityofvancouver.us/publicworks/page/transportation-development-review-and-capital-standard-plans-details)**
1257

1258

CONCURRENCY	Jennifer.patrick@cityofvancouver.us 360-487-7720
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1259 • **The applicant shall submit the Transportation Compliance Letter (TCL) electronically to the**
1260 **City of Vancouver for review and approval. The TCL may be submitted via email (size**
1261 **permitting), on a disk or shared on an FTP site.**
1262

1263 • **The project is located within the area evaluated in the Downtown Vancouver Traffic Impact**
1264 **Analysis for the Vancouver City Center Vision (VCCV) Subarea plan adopted June 18, 2007.**
1265 **The project will be required to meet the Concurrency requirements of VMC 11.95 and the**
1266 **transportation elements of the VCCV Subarea plan.**

1267 • **Per City of Vancouver Ordinance M-3833, the applicant shall submit a Transportation**
1268 **Compliance Letter (TCL). The TCL shall include at a minimum: a calculation of cumulative AM**
1269 **and PM peak hour automobile trip generation and distribution; an assessment of whether**
1270 **overall trip generation will remain within the allocated AM and PM peak trip hours for the**
1271 **VCCV plan; indication of the intersections impacted by 10 or more additional PM peak hour**
1272 **trips; and, a safety analysis of any proposed site access driveways; review of on-site**
1273 **pedestrian, bicycle and vehicular circulation and safety.**

1274 • **Pursuant to City Ordinance M-3975, the term of a Certificate of Concurrency shall be**
1275 **concurrent with the term of the underlying land use approval for a given development**
1276 **project.**

1277 • **The proposed development is within the following Transportation Management Zone (TMZ)**
1278 **and Transportation Analysis Zone (TAZ):**
1279

1280 **TAZ #18**

1281

1282 **Corridor/TMZ Limits of Corridor**

1283 **This development is not within a current TMZ Corridor.**
1284

1285 • **The City of Vancouver has adopted the 10th Edition of the ITE Manual. The applicant**
1286 **should utilize the 10th Edition for the trip generation in the TCL.**
1287

- 1288 • Use the weighted average rate given in the ITE Trip Generation Manual to calculate
- 1289 trip generation for the ADT.
- 1290
- 1291 • Use the methodology described in the ITE Trip Generation Handbook¹ to calculate trip
- 1292 generation for AM and PM peak hour trips.
- 1293 ¹ For AM & PM peak hour trips use the methodology described in the ITE Trip
- 1294 Generation Handbook, Second Edition, June 2004, Chapter 3, Guidelines for
- 1295 Estimating Trip Generation and including Figure 3.1 Recommended Procedure for
- 1296 Selecting Between Trip Generation Average Rates and Equations.
- 1297
- 1298 • The VCCV relies on a 20% - 40% mode split reduction. The applicant shall demonstrate
- 1299 how this will be achieved.

1300 **Contact**

- 1302 • For additional information or questions, please contact Eric Hahn at (360) 487-7702 or via
- 1303 email at Eric.Hahn@cityofvancouver.us.
- 1304

FIRE	Andrew.jorgenson@cityofvancouver.us 360-487-7247
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1306 **VMC 16.04.010 FIRE CODE:**

1307 As required by RCW Chapter 19.27, the city of Vancouver hereby adopts by reference the

1308 International Fire Code (IFC), including appendices B and E, as amended by RCW Chapter 19.27,

1309 WAC Chapter 51-54 and the provisions of this chapter. The approval of plans and specifications

1310 does not permit the violation of any section of the IFC or any federal, state, or local regulations.

1312 **IFC 503 FIRE APPARATUS ACCESS (VMC 16.04.150):**

1313 **Standard Text:** Fire apparatus access shall be provided, by an approved route, to within 150' of

1314 any point of the facility and any point on the exterior wall of the first story of the building as

1315 measured by an approved route around the exterior of the building. Fire apparatus roads shall

1316 have a minimum clear width of 20' and clear height of 13'6". The required width of a fire

1317 apparatus access road shall not be obstructed in any manner, including parking of vehicles,

1318 signage and mailboxes. Minimum required widths and clearance dimensions shall be maintained

1319 at all times. Fire department required access lanes exceeding 200' in length shall be provided

1320 with an approved fire apparatus turn-around or with drive through provisions. Temporary or

1321 permanent fire apparatus emergency access lanes shall be established and maintained clear to

1322 within 150 feet of any portion of a structure on the project site.

1323 Buildings or portions of buildings or facilities four or more stories height above the lowest level of

1324 fire department vehicle access shall be provided with approved fire apparatus access roads

1325 capable of accommodating fire department aerial apparatus. Overhead utility and power lines

1326 shall not be located within the aerial fire apparatus access roadway. Fire aerial apparatus

1327 access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of the

1328 building. At least one of the required access routes meeting this condition shall be located within a

1329 minimum of 15 feet and a maximum of 25 feet from the building, and shall be positioned parallel

1330 to one entire side of the building. The location of a fire aerial apparatus access lane shall be

1331 approved and shall be placed so that the use of this lane by the Fire Department will not

1332 completely obstruct access to the building or site.

1333 **Specific to this project:**

- 1334 1. Fire Lanes are not shown on submittal. Submit a FIRE RESPONSE SITE PLAN which
- 1335 shows the following:
 - 1336 • Fire Lane boundaries, width, turning radii, gates across fire lanes and required
 - 1337 turn-arounds

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- **Fire Lane signage and striping as demonstrated in the Development Standards – Fire Department Emergency Access**
 - **Fire hydrants, mains, Fire Department Connections for fire sprinkler systems, underground fire sprinkler supply mains into building**
 - **Location of Fire Sprinkler Riser Rooms and Fire Alarm Control Panels (FACP)**
 - **Location of Knox Box if known.**
 - **Known hazards or obstructions to Fire Emergency Response (overhead power lines, outdoor hazardous storage, etc.)**
2. **Aerial access shall be provided for the building.**
 3. **Aerial access lane requires at least 15 foot distance from the building and no greater than 25 feet.**
 4. **Fire department access from two sides is required.**
 5. **A fire department Knox box will be required at an approved location and shall contain provisions for access to fire protection equipment and any proposed building common areas.**

1354 **IFC 505 PREMISE IDENTIFICATION:**

1355 **Standard text:** Premise address/identification shall be visible and legible from the fire lane
1356 approach.

1357 **Specific to this project:**

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1. **During construction, temporary address sign(s) shall be erected so that they are visible and legible from the road fronting the property for emergency response.**
 2. **Prior to occupancy the address shall be visible and legible from the street fronting the property.**

1363 **IFC 507 WATER SUPPLY & FIRE HYDRANTS (VMC 16.04.160):**

1364 **Standard text:** FIRE HYDRANTS: The maximum hydrant spacing in commercial and multi-family
1365 residential developments shall be 400 feet between hydrants measured along a fire apparatus
1366 access lane. The distance from the most remote first floor exterior wall of structures shall not be
1367 more than 350 feet from a fire hydrant and not more than 150 feet from a fire lane. Where the
1368 buildings are protected by an approved fire sprinkler system, the maximum spacing between fire
1369 hydrants shall be 600 feet and the most remote first floor exterior wall of structures shall not be
1370 more than 450 feet from a fire hydrant and not more than 150 feet from a fire lane.

1371 Where structure placement is not yet proposed, measurement shall be taken from the most remote
1372 location on the lots.

1373 The maximum hydrant spacing in one and two family residential developments shall be 600 feet
1374 between hydrants measured along a fire apparatus access lane. The distance from the most
1375 remote exterior first floor wall of any structure shall not be more than 450 feet from a fire
1376 hydrant. Where structure placement is not yet proposed, measurement shall be taken from the
1377 most remote location on the lots.

1378 Fire hydrants on the opposite side of principal arterial or larger streets shall not be considered
1379 for new projects. The first 1,500 gallons per minute of required fire flow may be taken from one
1380 fire hydrant. An additional fire hydrant shall be required for each additional 1,000 gallons per
1381 minute or fraction thereof.

1382 **Specific to this project:**

- 1383
- 1384
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- 1388
1. **Underground fire sprinkler supply mains shall be installed only by contractors in compliance with WAC 212-80 and endorsed in accordance with VMC 16.04.095 under separate permit.**
 2. **Fire department connections (FDC) are required to be within 150' hose lay to a hydrant.**
 3. **Building construction type will need to be provided to calculate required fire flow.**

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IFC CHAPTER 9 FIRE PROTECTION SYSTEMS (VMC 16.04. 170 – 16.04.210):

Standard - Automatic sprinkler systems in buildings larger than 12,000 square feet. 903.2.11.7 Buildings larger than 12,000 square feet. Automatic fire extinguishing systems shall be installed and maintained in operable condition in all buildings containing a floor area of over 12,000 square feet, or which are more than 36 feet in height above grade. Exceptions: 1. Each portion of a building separated by fire walls constructed in accordance with International Building Code Table 706.4 may be considered separate buildings for the purposes of fire sprinkler requirements provided there are no openings in the fire walls that could reduce the fire-resistance rating of the separation.

2. This amendatory ordinance shall not apply to a building or portions of a building used only for open parking garages as these are defined and regulated in Section 406.3 of the International Building Code and IFC Section 903.2.10.

3. Automatic fire extinguishing systems may be omitted from areas over swimming pools, tennis courts and other such areas when authorized by the building official and the fire code official consistent with this chapter.

Specific to this project:

1. **Fire sprinkler protection shall be installed throughout the building in accordance with NFPA 13.**
2. **A fire alarm system shall be installed throughout in accordance to the 2015 International Fire Code section 907 and NFPA 72.**
3. **A class I or III standpipe will need to be installed if the floor level of the highest story is located more than 30 feet above the lowest level of the fire department vehicle access.**
4. **All new buildings shall have approved radio coverage for emergency responders within the building based upon existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.**
5. **Access to fire protection equipment shall be from an exterior door or from a common area.**

WATER	Heather.mitchell@cityofvancouver.us 360-487-7173
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EXISTING CONDITIONS:

City records indicate that there is:

- An 18-inch CI water main in E. 12th Street
- A 12-inch DI water main in “C” Street
- A 6-inch DI water main in E. Evergreen Boulevard
- (3) Fire hydrants along the subject parcel’s frontage of E. 12th Street
- (1) Fire hydrant along the subject parcel’s frontage of “C” Street
- (1) Fire hydrant along the subject parcel of E. Evergreen Boulevard
- A 2” domestic water meter along E. 12th Street serving The Academy

FIRE PROTECTION:

The Fire Flow currently available from hydrants in the proposed project area is 1,500 gpm. The listed Fire Flow gpm is an estimate. Project specific Fire flow needs may create additional requirements beyond what is shown on this document.

REQUIREMENTS:

To obtain water supply for the project:

- 1438 • Connect to the existing 18-inch CI water main near in E 12th Street, near the NE corner of
1439 the subject parcel and extend a new 8-inch ZDI water main south along the subject
1440 parcel's eastern most boundary. Connect the new 8-inch ZDI water main to the existing 6-
1441 inch DI main in E. Evergreen Boulevard near the subject parcel's SE corner.
- 1442 • Connect new water services, fire hydrants and fire protection systems to the new and
1443 existing mains.
- 1444 • Fire hydrant locations are to be specified by the Fire Marshal. **If new hydrants are**
1445 **required**, they shall be served by water mains with a minimum of 8-inch diameter. The
1446 exception allows utilization of a 6-inch main for dead-end run shorter than 50 feet to a
1447 hydrant.
- 1448 • The applicant may utilize the existing meter to service domestic water needs. If a larger
1449 meter than what is existing should be needed to meet supply demands, the applicant shall
1450 ensure the size of existing services are adequate. Maximum meter size for a 2-inch
1451 service is a 2-inch meter. If larger services are needed, the applicant shall connect to any
1452 of the existing public water mains.
- 1453 • If backflow devices are present on the existing water services, they shall be updated to
1454 meet current city standards. If backflow devices are not in place, new devices will be
1455 required by the city's Water Quality Department.
- 1456 • A public easement will be required for any public water main, meter or hydrant located
1457 outside of City of Vancouver right-of-way.
- 1458 • Separate water services are required for each building. Water meters shall be located in
1459 a non-paved area, centered along the property frontage.
- 1460 • If wells are found to be onsite, future use or abandonment requirements from the
1461 Departments of Health and Ecology must be met. If an existing well is to remain in service,
1462 approval from the City's Water Quality Department will also be required, including
1463 appropriate backflow protection.

1464
1465 Further requirements may be necessary depending on the final project configuration and will be
1466 determined at the time of project submittal.

1467
1468 If there are any questions, please contact Heather Mitchell at (360) 487-7173 or by
1469 e-mailing Heather.Mitchell@cityofvancouver.us.

1470
1471 **WATER SYSTEM STANDARDS:**

1472 *The City of Vancouver's Water Design & Construction Requirements, Standard Details and an*
1473 *example drawing may be found on the City's website at:*

1474 <http://www.cityofvancouver.us/publicworks/page/water-design-construction-requirements>
1475

1476 All water lines, services, and hydrants constructed shall conform to the most current "City of
1477 Vancouver General Requirements and Details" for Water System design and construction along
1478 with the following:

1479
1480 The standard for main extensions is 8-inch diameter, or larger as master-planned or needed per
1481 hydraulic analysis and fire flow.

SEWER	Aaron.odegard@cityofvancouver.us 360-487-7153
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1482 **Basin S2:** Sewers in the area are shown on Sheet #0804 (and #0702 of the older 50-scales).
1483

1484
1485 **East 12th Street:** Six-inch vitrified clay sewers flow west in the public stretch of 12th Street.
1486 (Existing sewers do not meet today's public standards.)
1487

1488 **LID6-S:** Most of the existing sewer was constructed in about 1907 by a local improvement district.
1489 Record drawings are not available. Maintenance video is not immediately available (5310-
1490 5308-5307-16515).

1491
1492 **'C' Street:** A reconnection in 'C' Street was constructed in 2002 (083049). A plan view is shown on
1493 Sheet 3 of the record drawings (8304903.tif).

1494
1495 **351/2:** Upstream stretches of private building sewers were constructed by an extension for St.
1496 Josephs Nurses Home. (Notes are found in the Roll Files).

1497
1498 **General Requirements:** Developing parcels are required to construct public sanitary sewers to the
1499 site and to provide a separate service to each new lot and building (VMC 14.04.280, 14.08.050,
1500 14.16.010). Construction of new public sewer mains is required. Serve each new building with at
1501 least one separate service lateral. If buildings house mixed-uses then serve each (major) separate
1502 use with a separate service lateral connection.

1503
1504 **Design:** Locate existing utilities. Connect to #16514 or install a new dog house manhole in 'C'
1505 Street. Extend new 8" sewer east in 12th and the access drive to the east property line (or some
1506 other agreed distance). Maintain existing service during construction and reconnect after testing
1507 and inspection.

1508
1509 **Easement Requirements:** Provide a public sewer easement in the access drive as required. If
1510 offsite easement widths are required then submittal of signed recordable easement documents is
1511 required prior to civil plan approval.

1512
1513 **Conditions:** These and other sewer conditions will appear in the staff report. Public sewer
1514 construction requirements will be itemized in the Notification of Civil Plan Approval (plan
1515 approval letter).

1516
1517 **Standards:** Engineered plans are required. Follow Vancouver's public design standards. Submit
1518 plans for review, modifications, and approval.

1519
1520 **Permits and Construction:** Secure right-of-way and other sewer construction permits. Schedule
1521 and attend a pre-construction meeting. Construct public sewers and laterals as shown on the
1522 approved civil plans. Satisfy Construction Services testing and inspection requirements. Satisfy all
1523 items listed in the plan approval letter.

1524
1525 **Service Connections:** Pay sewer connection and application fees. Sewer SDCs will be based on
1526 water meter size and type of use. Visit the permits center for a fee estimate early in the process.
1527 Connect the building sewers to the new service laterals as required by the plumbing code and
1528 satisfy building inspections.

1529
1530 **STORM WATER** **Mike.swanson@cityofvancouver.us 360-487-7182**

1531 **EROSION PREVENTION AND SEDIMENT CONTROL (VMC 14.24):**

- 1532 • A separate Erosion/Sedimentation Control Plan in conformance with VMC 14.24, the City's
1533 General Requirements and Details and the Stormwater Management Manual for Western
1534 Washington Volume II shall be submitted and approved prior to demolition, street cuts, clearing,
1535 grading, filling or issuance of City permits.

- 1536 • The plan shall show detailed existing and proposed topography of the site. The plan shall
1537 include measures to insure sediment and sediment laden runoff does not leave the site.
1538 Additional measures are required for offsite utility trenching.
- 1539 • Department of Ecology Construction Stormwater General Permit - A permit is required for all
1540 soil disturbing activities (including grading, stump removal, demolition) where 1 or more acres
1541 will be disturbed, and stormwater will be discharged to a receiving water directly (e.g.,
1542 wetlands, creeks, unnamed creeks, rivers, marine waters, ditches, estuaries), or to storm drains
1543 that discharge to a receiving water. *If there is no potential to impact waters of the state under*
1544 *any condition, the project may not need permit coverage.* Construction site operators must
1545 obtain a permit 60 days prior to discharging stormwater. Information about the permit
1546 requirements is available at the DOE website:
1547 <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>.
- 1548 •The following items signified with the * are required for the project submittal to be fully
1549 complete.
- 1550 * The plan shall show detailed existing and proposed topography of the site including a
1551 minimum of 25 feet of adjacent properties.
- 1552 * The plan shall show site specific erosion prevention BMPs.
- 1553 * The plan shall include measures to insure sediment and sediment laden runoff does not
1554 leave the site.
- 1555 * The plan shall include the entire erosion control notes from detail E-1.00.
- 1556 * A note that a sediment trap (detail E-2.40) may be required for the project if construction
1557 occurs during wet weather months.
- 1558 • The project site is fairly flat with the majority of the area to be developed currently being
1559 used as a gravel parking lot. Grading should be minimal for the project. There is little or no
1560 native vegetation onsite. The existing storm system in the adjacent public roadways drains to
1561 the Columbia River and must be protected from sediment and sediment laden runoff.

1562 **STORMWATER CONTROL (VMC 14.25):**

- 1563 • The project must meet the requirements of the current Western Washington Phase II Municipal
1564 Stormwater Permit and the City of Vancouver Surface Water General Requirements. The
1565 development will create more 5,000 square feet of hard surfaces and Minimum Requirements
1566 #1 through #9 of the 2014 *Stormwater Management Manual for Western Washington*
1567 (SMMWW) must be followed (See figure 3.2 of Appendix 1 of the Western Washington
1568 Phase II Municipal Stormwater Permit).
- 1569 • Minimum Requirement #1: Preparation of Stormwater Site Plans - The plan shall meet the
1570 requirements of section 4-2.03 of the City of Vancouver Surface Water General
1571 Requirements. The project shall retain native vegetation and minimize impervious surfaces to
1572 the maximum extent feasible. The project shall employ on-site stormwater management BMP's
1573 to infiltrate, disperse, and retain stormwater runoff on site to the maximum extent practicable
1574 without causing flooding or erosion impacts. On-site stormwater management BMP's include
1575 downspout dispersion, concentrated flow dispersion, sheet flow dispersion, post-construction
1576 soil quality and depth, preserving natural vegetation, better site design, and full dispersion.
- 1577 • Minimum Requirement #2: Construction Stormwater Pollution Prevention Plan (SWPPP) - A
1578 SWPPP shall be prepared in accordance with the Stormwater Permit and the SMMWW. See
1579 Section 14.24 above as well as section 4-8 Erosion Prevention & Sediment Control of the
1580 General Requirements and Volume II of the SMMWW.

- 1581 • Minimum Requirement #3: Source Control of Pollution - All known, available and reasonable
1582 source control BMPs are required for the project. Source control BMPs must be selected,
1583 designed and maintained in accordance with Volume IV of the SMMWW. See Section 4-9
1584 Water Resource Protection of the general Requirements.
- 1585 • Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls - Natural
1586 drainage patterns shall be maintained, and discharges from the project site shall occur at the
1587 natural location, to the maximum extent practicable. The manner by which runoff is discharged
1588 from the project site must not cause significant adverse impact to downstream receiving waters
1589 and down gradient properties.
- 1590 • Minimum Requirement #5: On-site Stormwater Management – The project triggers Minimum
1591 Requirements #1 through #9 and must meet the requirements of the Low Impact Development
1592 Performance Standard and BMP T5.13; or List #2 (applicant option). See Section 4.5 of Appendix
1593 7 for guidance and details of List #2.
- 1594 • Minimum Requirement #6: Runoff Treatment – This requirement applies because the total
1595 pollution-generating hard surfaces is greater than 5,000 square feet. The project shall
1596 address the water quality design rate as defined in Minimum Requirement #6 and the 2014
1597 Stormwater Management Manual for Western Washington (Stormwater Manual). The project
1598 shall provide water quality treatment of stormwater runoff from Pollution Generating
1599 Impervious and Pervious Surfaces (PGIS & PGPS) through the use of approved BMP's. Runoff
1600 treatment facilities shall be designed in accordance with the SWMMWW and the City's
1601 General Requirements and Details (Section 4-6 Runoff Treatment).
- 1602 • The use of "Emerging Stormwater Treatment Technologies" and other alternative treatment
1603 BMP's must have Department of Ecology approval if privately maintained. If publically
1604 maintained they must also have city approval.
- 1605 • LID practices shall refer to the Low Impact Development Technical Guidance Manual for Puget
1606 Sound (*LID Manual*) and Appendix III-C of the SMMWW for design recommendations. All uses
1607 of LID practices shall meet applicable regulations and requirements, and may require specific
1608 approval from other City departments (for example Transportation or Building) if proposed
1609 for public right-of-way improvements. See section 4-7 Low Impact Development.
- 1610 • Minimum Requirement #7: Flow Control – The project must meet the standard flow
1611 requirement for western Washington because the total of effective impervious surfaces is
1612 10,000 square feet or more in the threshold discharge area. This requirement can be met by
1613 infiltrating all runoff onsite.
- 1614 • There are public storm mains in East 12 Street and C Street. These are 8-inch mains that are under
1615 sized and connection to these mains would require downstream capacity analysis to see if the
1616 main would accommodate additional flow.
- 1617 • Minimum Requirement #8: Wetlands Protection – There does not appear to be any wetlands
1618 on or adjacent to the site.
- 1619 • Minimum Requirement #9: Operation and Maintenance – The applicant must produce an
1620 operation and maintenance manual that is consistent with the provisions in Volume V of the
1621 SWMMWW for proposed stormwater facilities and BMPs. The party (or parties) responsible for
1622 maintenance and operation shall be identified in the operation and maintenance manual. A copy
1623 of the operation and maintenance manual shall be retained on-site or within reasonable access to
1624 the site, and shall be transferred with the property to the new owner.

- 1625 • Proposed onsite stormwater facilities shall be private and shall have an access and inspection
1626 easement to the City of Vancouver. The easement shall be shown on the civil plan and the final
1627 site plan. Refer to section 4-2.06 in the General Requirements.
- 1628 • If frontage improvements are required, drainage improvements may be necessary.
- 1629 • Storm facilities constructed within the right-of-way must be designed around required street
1630 trees. Street trees will generally not be allowed within bioretention facilities (base or side
1631 slopes).
- 1632 • Per the Soil Survey of Clark County, Washington the soils on-site are Lauren gravelly loam
1633 (LgB). This soil type is generally suitable for infiltration provided there is no high groundwater
1634 onsite. Soils in the downtown area are variable due to past development and grading. An
1635 infiltration test and a detailed soils report are required where infiltration or LID is proposed.
1636 Infiltration testing and soil report shall be in accordance with the City's General Requirements
1637 and Details Section 4-5.07. If a single ring falling head infiltration test is used to determine
1638 infiltration rates, the coefficient of permeability must be calculated using Darcy's Law. See
1639 Appendix B of the General Requirements, "A Review of Infiltration Standards and Practices in
1640 Clark County" for testing and calculation standards.
- 1641 • New infiltration wells (drywells, infiltration trenches) are required to meet Washington
1642 Department of Ecology Underground Injection Control (UIC) requirements (WAC 173-218)
1643 and be registered with the Department of Ecology. For requirements and registration forms,
1644 see: <http://www.ecy.wa.gov/programs/wq/grndwtr/uic/>
- 1645 • Conveyance system shall be designed for the 10-year storm event in accordance with the
1646 City's General Requirements and Details Section 4-3
- 1647 • Roof downspout infiltration systems must be located at least 10 feet from building foundation
1648 and 5 feet from any property line.
- 1649 • On-site drainage shall not drain onto surrounding public streets or adjoining tax lots.
- 1650 • The applicant shall provide a stormwater report that outlines all aspects of the site hydrology,
1651 assumptions, runoff treatment and flow control (including infiltration) design calculations. The
1652 applicant shall demonstrate in the stormwater report how stormwater from newly created
1653 impervious surfaces will be treated and disposed of in accordance with VMC 14.25 and
1654 VMC14.26. The report should be formatted as outlined in the City's General Requirements
1655 and Details Section 4-2.
- 1656 • If there are any questions, contact Mike Swanson at 360-487-7182 or email at
1657 mike.swanson@cityofvancouver.us.

BUILDING	Webb.wilbanks@cityofvancouver.us 360-487-7842
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BUILDING COMMENTS:

OCCUPANCY CLASSIFICATION: R-2 & S-2, A-3, B

CONSTRUCTION TYPE: TBD, Sprinklered

BUILDING SIZES: 6 Story. Total Area approximately 80,000 sf.

DESIGN REQUIREMENTS:

Seismic Design Category D-1, wind 135 mph (3-second gust) based on Risk Category II (ACSE 7-10), minimum roof snow load 25 psf, frost depth 12"

CODES APPLICABLE TO PROJECT:

2015 International Building Code
2015 International Mechanical Code

1670 2015 International Fuel Gas Code
1671 2015 Uniform Plumbing Code
1672 2017 National Electrical Code
1673 2015 International Fire Code
1674 ICC/ANSI A117.1.2009
1675 WAC 51-50 Washington State Amendments
1676 2015 Washington State Energy Code
1677 Vancouver Municipal Code Title 17
1678 The Washington State Codes and Amendments may
1679 be accessed at
1680 <http://www.sbcc.wa.gov/sbccindx.html> .

Note that 2018 building codes will be adopted July 1, 2020.

1682 **Important Notice:** *The Site Plan Review process and related submittals are regulated by VMC Title 20*
1683 *and are separate and distinct from the Building Permit application process and related submittals,*
1684 *which are regulated by VMC Title 17. Approval of the Site Plan is a necessary prerequisite to*
1685 *approval of the building plans but does not assure approval of the building plans or effect the*
1686 *necessary review time for the building plans. When plans submitted for building permit application*
1687 *are reviewed, additional comments shall be made. The following comments are based on a*
1688 *precursory review only of limited plans submitted with this application:*

1689 **COMMENTS:**

- 1690 • A licensed **Architect** registered in the state of Washington is required.
- 1691 • A licensed **Engineer** registered in the state of Washington is required.
- 1692 • A **geotechnical report** will be required for this project. A copy of this report must be
1693 included in the building permit file. The site plan review process is a separate and distinct
1694 process. Submittal of a Geotechnical report for that process would not relieve the
1695 requirement for a copy being submitted with the building plans.
- 1696 • **Per IBC 1104, accessible routes** within the site shall be provided from public
1697 transportation stops, accessible parking and accessible passenger loading zones and
1698 public streets or sidewalks to the accessible building entrance served. At least one
1699 accessible route shall connect accessible buildings, accessible facilities, accessible elements
1700 and accessible spaces that are on the same site. Wherever practical, the accessible route
1701 of travel shall not cross lanes of vehicle traffic. Where crossing traffic lanes is necessary,
1702 the route of travel shall be designated and marked as a crosswalk. Illumination shall be
1703 provided along an exterior accessible route of travel at any time the building is occupied,
1704 with an intensity of not less than one foot-candle, per IBC 1008.2. Provide details, such as
1705 a **photometric analysis**, sufficient to confirm compliance with illumination requirements
1706 when submitting plans for site plan review. Emergency lighting shall also be provided on
1707 the exterior immediately adjacent to the exit discharge doorways.
- 1708 • Per **ICC/ANSI 117.1, Accessible parking spaces** shall be not less than 96” in width and
1709 shall have an adjacent access aisle not less than 60” in width. Van accessible parking
1710 spaces shall have an adjacent access aisle not less than 96” in width. Accessible parking
1711 and access aisles shall be located on a surface with a slope not to exceed 1 vertical in 48
1712 horizontal. Access ramps shall not extend into the required parking space or access aisle.
1713 Note that per 1111.1 Signage #2 that accessible stalls assigned to specific units,
1714 identification of the accessible stall is not required. The required number of accessible and
1715 van accessible parking spaces shall comply with IBC Section 1106 and WAC 51-50-
1716 1106.

- 1717 • Per IBC 1106.2, At least 2 percent, but not less than one, of each type of parking space
1718 provided for occupancies in Group R-2, which are required to have Accessible, Type A or
1719 Type B dwelling or sleeping units, shall be accessible.
- 1720 • Provide accessible bathroom(s) on plans demonstrating compliance with **2015 IBC**
1721 **Chapters 11 and 29.** Provide detailed layout with dimensions on enlarged bathroom
1722 floor plan showing minimum fixture requirements and detailed accessibility compliance.
1723 Please indicate on plans the fixtures and grab bar heights and locations, and dimensions.
- 1724 • **Type A and Type B** dwelling units shall be provided in accordance with IBC Chapter 11.
1725 (Not less than 5% of all on-site units shall be Type-A units and all other units shall be
1726 Type-B units except as reduced by section 1107.7. All Type-A units shall be clearly
1727 indicated on the site plan. All other shall be Type-B units.)
- 1728 • Per IBC 1207.1, in Group R Occupancies, **wall and floor-ceiling assemblies separating**
1729 **dwelling units** or guest rooms from each other and from public spaces such as interior
1730 corridors and service areas shall provide airborne sound insulation for walls and both
1731 airborne and impact sound insulation for floor ceiling assemblies. Per IBC 1207.2, all such
1732 separating walls and floor-ceiling assemblies shall provide and airborne sound insulation
1733 equal to that required meeting a sound transmission class (STC) of 50. Penetrations or
1734 openings in construction assemblies for piping; electrical devices; recessed cabinets;
1735 bathtubs; soffits; or heating, ventilating or exhaust ducts shall be sealed, lined, insulated
1736 or otherwise treated to maintain the required ratings. Provide details for compliance
1737 when submitting plans for a building permit.
- 1738 • Per IBC 1207.3, **floor/ceiling assemblies** between dwelling units or between a dwelling
1739 unit and a public or service area within the structure shall have an impact insulation class
1740 (IIC) rating of not less than 50 (45 if field tested) when tested in accordance with ASTM E
1741 492. Provide evidence of IIC rating for proposed floor/ceiling assemblies. Such evidence
1742 may consist of assembly numbers from the Gypsum Association Fire Resistance Design
1743 Manual or UL listing numbers. Incorporate listing details in the plans as they provide
1744 specific construction details for the IIC rating.
- 1745 • Operable Window openings shall be provided with fall protection when required by IBC
1746 1015.8. (See code for options & requirements)
- 1747 • The building set-backs from property lines will need to be verified demonstrating
1748 conformance with **Table 602 and allowable area.** Fire resistive walls may be required if
1749 minimum set-backs to property lines or adjacent buildings are not met. Exterior wall must
1750 comply with maximum **allowable openings per IBC 705.8**
- 1751 • Building shall comply with **Allowable Height IBC 504.3, Stories IBC 504.4 & Area 506.2.**
- 1752 • Where a building contains more than one occupancy group, the building or portion
1753 thereof shall comply with the applicable provisions of **Section 508.2, 508.3, or 508.4.**
- 1754 • **All applications for construction of multi-unit residential buildings must include design**
1755 **documents prepared and stamped by an architect or engineer that identify the**
1756 **building enclosure** (building enclosure documents), including but not limited to,
1757 waterproofing, weather proofing and/or otherwise protected from water or moisture
1758 intrusion, unless a recorded irrevocable sale prohibition covenant is submitted to the City.
- 1759 • For **radon** requirements, see IBC 1203.6. Provide details for compliance when submitting
1760 plans for a building permit.

- 1761 • A separate fire review will be conducted by the Fire Marshall. Note that per IBC 903.2.7
1762 an automatic fire sprinkler system will be provided in all buildings with a Group R fire
1763 area. Please specify **NFPA 13 or 13R** on the design documents.
- 1764 • **Electric Vehicle Charging Infrastructure** shall be provided in accordance with IBC section
1765 427. (Washington Amendment). Show parking spaces or reserved parking spaces on the
1766 site plans and electrical plans associated with site plan review.
- 1767 • **Pools** must meet accessibility requirements of ICC A117.1-2009 Section 1109.
- 1768 • The **elevators** will also be reviewed, approved and permitted by the Washington State
1769 Department of Labor and industries. Elevators shall comply with Chapter 30.
- 1770 • **Accessible Means of egress elevator** will be applicable in accordance with IBC
1771 1009.2.1.
- 1772 • Cross connection control (backflow protection) shall be provided at the building main
1773 water supply.
- 1774 • Blower door tests in accordance with 2015 WSEC will be required. This building will
1775 require a commercial blower door test.

1776
1777 **APPLICATION PROCESS AND GENERAL INFORMATION:**

- 1778 • Each independent structure requires a **separate building permit** unless specifically
1779 exempted by VMC 17.08.090, including: buildings, retaining walls over 4 feet, fences
1780 and trash enclosures over 6 feet, and covered structures.
- 1781 • When plans are submitted for building permit application, please submit a code analysis
1782 that includes occupancy group and division, construction type, and allowable area
1783 calculations. Submit engineered structural calculations. To expedite review of plans
1784 include complete mechanical plans, plumbing plans, electrical plans, and completed
1785 Washington State Energy Code Compliance Forms for building envelope, mechanical
1786 systems, and Lighting Power Allowance calculations. Provide special inspection program
1787 as required per IBC 106.3.4. Submit via Eplans.
- 1788 • This project will be a deferred submittal project.

1790 **ADDRESSING COMMENTS** Bryan.monroe@cityofvancouver.us 360-487-7958

1791 Building numbers shall be assigned in the preliminary site plan process.
1792

1793 **PARKING COMMENTS** parking@cityofvancouver.us 360-487-8650

1794 Downtown only: During construction, reservations and payment required for each parking space
1795 closed to public use. Fees are assessed per parking space per day; applies to all metered, pay
1796 station, signed and unmarked parking spaces.
1797

1798 **C-TRAN COMMENTS** Roger Hanson rogerh@c-tran.org

1799 No comments received.
1800

1801 **PARKS COMMENTS** Monica.tubberville@cityofvancouver.us

1802 No comments received.
1803

1804 **VESTING OF APPLICATIONS**

1805 Type I, Type II, and Type III applications (other than zone change proposals) shall be considered
1806 under the subdivision, zoning, and other land development codes in effect at the time a fully

1807 complete application is filed: PROVIDED, an application which is subject to pre-application review
1808 shall contingently vest on the date a pre-application is filed, which contingent vesting shall
1809 become final if a fully complete application for substantially the same proposal is filed within
1810 one-hundred eighty (180) calendar days of the issuance of the pre-application report.
1811

SUBMITTAL OF DEVELOPMENT APPLICATIONS

1813 Current applications are at:

1814 <https://www.cityofvancouver.us/ced/page/land-use-and-planning-applications>
1815

1816 Current Vancouver Municipal Codes are at:

1817 <http://www.cityofvancouver.us/vmc?tid=334>
1818

1819 **All land use applications must be submitted electronically using ePlans.** If you need
1820 assistance, please contact the Permit Center staff at eplans@cityofvancouver.us or by phone at
1821 360-487-7802. If you wish to come into the Community Development Department Permit Center
1822 located at 415 W. 6th Street. Permit center hours are 9 a.m.–12:30 p.m. and 1:30 p.m.–4 p.m..
1823

1824 **ePlans webpage:** <https://www.cityofvancouver.us/ced/page/getting-started-eplans>

REQUIRED APPLICATIONS and APPLICABLE FEES

The following are applications and fees required at land use application (LUP) submittal:

Design Review (Type 1)– All Others: \$1,826

SEPA

All others - \$1,461 plus \$48 per acre of land disturbed

Site Plan Review

Type II and Type I Qualified Planned Action

Planning – Residential: \$1,580 plus \$109 per unit Max: \$22,267

Fire - \$799

Stormwater - \$1,386 plus fee per square foot of impervious and roof area (\$0.04 first Acre, \$0.02 1 to 5 acres and \$0.004 over 5 acres) - Unoccupied structure: \$449 – Tenant Improvement \$94

Transportation – General Case: \$3,541

Traffic Review Fees

Traffic Study - \$307

Trip Generation and Distribution Report - \$174

Trip Compliance Letter - \$174

Trip Generation Letter - \$174

Traffic Modeling Fee - \$50 per trip maximum \$1,500 per project

Tree plan - \$301 (Level 5)

Additional fees required after PRELIMINARY approval will be addressed in the preliminary approval staff report as conditions. This includes the impact fees (outlined in zoning section of this report), system development charges, latecomer fees and inspection fees.

ALL APPLICABLE FEES ARE AS OF THE DATE OF THIS REPORT AND ARE SUBJECT TO CHANGE BY CITY COUNCIL. FEES MAY BE DIFFERENT AT THE TIME OF ACTUAL APPLICATION AND ADDITIONAL FEES MAY BE ASSESSED BASED ON REVIEW OF PLANS SUBMITTED.

REQUIRED PLANS AND DOCUMENTS

Based upon the Pre-Application review, the following land use reviews (LUP) are required:

- | | |
|---|---|
| <input checked="" type="checkbox"/> SEPA Checklist (Type I QPA) | <input checked="" type="checkbox"/> Design Review |
| <input checked="" type="checkbox"/> Site Plan Review (Type I QPA) | <input checked="" type="checkbox"/> Tree Plan (Level I) |

The following is required when uploading to ePlans:

PLANS

- Existing Conditions Plan – [VMC 20.320.030.B.1](#)
- Preliminary Plat – [VMC 20.320.030.B.2](#)
- Preliminary Site Plan – [VMC 20.270.040.C](#)
- Tree Plan – [VMC 20.770](#)
- Landscape Plan – [VMC 20.270.040.F](#)
- Preliminary Grading Plan with Erosion Control Measures - [VMC 14.24](#)
- Preliminary Stormwater Plan – [VMC 14.25](#) and [Design Requirements](#)
- Preliminary Civils, Water/Sewer Plan – [Design Requirements](#)
- Preliminary Civils, Street Design Plan – [Design Requirements](#)
- Signing and Striping & Street Lighting Plan – [Design Requirements](#)

DOCUMENTS

- | | |
|---|---|
| <input checked="" type="checkbox"/> Signed and Dated Application Form | <input checked="" type="checkbox"/> Trip Generation and Distribution Report |
| <input checked="" type="checkbox"/> Narrative | <input type="checkbox"/> Trip Compliance Letter |
| <input type="checkbox"/> Critical Area Report | <input type="checkbox"/> Trip Generation Letter |
| <input checked="" type="checkbox"/> SEPA Checklist | <input type="checkbox"/> Road Modification Request |
| <input checked="" type="checkbox"/> Geotechnical Soils Report | <input type="checkbox"/> Minor (Administrative) |
| <input checked="" type="checkbox"/> Preliminary Stormwater Report | <input type="checkbox"/> Technical (Minor) |
| <input type="checkbox"/> Traffic Study | <input type="checkbox"/> Major (Design) |

- Clark County Public Health Project Review Evaluation Letter or receipt
www.clark.wa.gov/public-health/site-septic-system-forms

From: [Aaron M. Wigod](#)
To: [Thirunagari, Sree](#); [Nortz, Jason](#); [Jones, Keith \(CED\)](#); [Turner, Greg](#)
Cc: ["David Pearson"](#); ["Eric Fuller"](#)
Subject: Academy Smokestack Retrofit
Date: Wednesday, December 11, 2019 2:07:13 PM
Attachments: [Academy - Smokestack - Summary of Seismic Hazard Reduction - 12-10-19.pdf](#)

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Hi Sree and Team:

Attached is the summary of Marathon and the Trust's proposed seismic hazard reduction retrofit for the Academy Smokestack. This is not a complete set of construction documents for permitting. As we discussed, before we spend more money continuing to pursuing this retrofit by preparing construction documents, we need to know if the retrofit is acceptable to the City generally and taking into account the adjacent proposed Aegis Phase II structures.

The attached summary is based on the actual calculations necessary to determine the required retrofit. In other words, the structural engineers have done the work to ensure the attached proposal will work. They just haven't put together the construction documents that will be required to permit and build the retrofit.

A few points to note about the retrofit. First, we successfully reduced the debris fall radius from 50 feet to 30 feet. We believe reducing the current estimated fall radius of several hundred feet if the smokestack topples to a debris fall radius of 30 feet is a very meaningful improvement that dramatically improves public safety. Second, once we learned that the estimated fall radius could be reduced to 30 feet, we moved Building E a few feet East so it and the other proposed new structures are outside that estimated 30 foot fall radius. This will be reflected on our updated Phase II site plan which I should have later this week. I will send it to you when complete.

We would very much appreciate the City accepting this proposed seismic hazard reduction retrofit. There are not resources for a full seismic upgrade so the only alternative to this retrofit is demolition.

Please review the proposed retrofit and let us know if you have questions. If possible we'd like to meet next week to discuss the smokestack and hopefully moving forward with construction documents.

When we meet I'd also like to discuss the simultaneous processes for the laundry and boiler buildings, the smokestack, and our Phase II land use application.

We appreciate you working on this matter. Thank you.

Aaron M. Wigod
Marathon Acquisition & Development
30050 SW Town Center Loop West, Suite 200
Wilsonville, Oregon 97070
Phone: (503) 582-8442
Fax: (503) 582-8383
www.marathonpad.com

ATTACHMENT 7

Laing, Tara J.

From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Tuesday, May 19, 2020 5:47 PM
To: 'Nortz, Jason'
Cc: Jones, Keith (CED); Turner, Greg; Thirunagari, Sree; Gigler, Philip
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thanks you, Jason:

Yes, I couldn't agree more that land use codes are frequently not entirely consistent or clear! However there are 2 provisions in Vancouver's Code which I think are quite clear and are being overlooked. First, while the Building Official makes the unfit premises determination under Chapter 17.32 VMC, that determination does not automatically result in demolition. Rather, under VMC 17.32.060, the Building Official may order the premises repaired, remediated or demolished. The Staff Report to the BFCC reiterates this two-step process in the following paragraph:

The primary purpose of the "Unfit Building and Premises Code" is to provide a just, equitable and practicable method, for determining if buildings, structures and/or premises are unfit for human habitation or other uses and are inimical to health and welfare of the general public *and may be required to be repaired, vacated or demolished*. (Emphasis added).

Second, the Code expressly requires approval by the HPC of demolition of buildings listed on the National Register of Historic Places. VMC 20.510.040 provides "Demolition permits for buildings listed on the... National Register of Historic Register (sic)... are subject to approval by the Clark County Historic Preservation Commission, subject to appeal to the City Council, as provided herein."

I do appreciate that the SEPA determination is administrative if by that we mean it is made by the Responsible Official and is appealable to the Hearing Examiner unless the Responsible Official that the project qualifies as a planned action project. To make a determination that demolition falls within the VCCV Planned Action, the Responsible Official must determine must make 10 findings, including:

- The proposed project's environmental impacts, both project specific and cumulative, have been adequately addressed and analyzed in the subarea plan and EIS for the planned action subarea;
- The proposed project's significant adverse environmental impacts will be adequately mitigated or avoided through application of the mitigation measures or other conditions required by the planned action ordinance, subarea plan or EIS for the planned action subarea. VMC 20.790.530.D.4 and.6.

With respect, I have seen nothing that analyzes the indirect impacts of demolishing the laundry and boiler buildings or cumulative impacts of their demolition on the Academy site and City Center. If there is any such analysis, I would greatly appreciate your providing it.

In terms of process, Keith had advised that the order of review would be as follows: unfit building determination; application completeness determination; presentation to the HPC of the project, and, presumably, then planned action project determination. Based on your emails I have concluded that he was mistaken and that the order the City intends to follows is: HPC review of proposed mitigation measures (but not of the project?); unfit building determination; application completeness; planned action project determination. It is only at that last step that the City can determine whether this project is a Type I application.

If I misunderstood the process the City intends to follow, please let me know. What this process leaves out is the HPC's required action on any demolition request.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>

Sent: Monday, May 18, 2020 2:01 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Cc: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Gigler, Philip <Philip.Gigler@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Apologies if we caused any confusion. As I'm sure you can appreciate land use codes are not always as black and white as we would like them to be. Essentially, because the Trust requested the City make an unfit building determination that process gets reviewed solely by the Building Official per VMC 17.32 to determine if the building poses a life safety risk. As for the effects to the cultural landscape if the City determines the buildings are unfit we would require the applicant to provide mitigation measures to address the impact regarding the loss of those structures and the impact the loss of those structures would have to the cultural landscape. This would be a SEPA determination the City would make administratively to confirm it meets the requirements of the Planned Action Ordinance for the VCCV. The Trust has provided a list of potential mitigation measures. We have submitted those to DAHP for review and will also be presenting those to the HPC or input. HPC review is not required for this but similar to the BFCC review of the unfit building determination we would like to get this in front of the HPC for feedback to help inform our decision. Following the meeting and HPC input, both an unfit determination and determination as to the project's status under the Planned Action Ordinance will be made.

Thanks,

Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Monday, May 18, 2020 10:11 AM

To: Nortz, Jason

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you, Jason:

There seems to be some confusion between Keith Jones's May 6, 2020 email and your email below on point #3 regarding when staff will consult with the HPC; whether that consultation is required or is a courtesy; and what the HPC will be asked to review. Do you have time this week to discuss this matter by phone? I think it would be much simpler than trying to sort it out by back-and-forth emails.

Thank you,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>

Sent: Thursday, May 14, 2020 2:58 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Cc: Katzaroff, Kenneth <KKatzaroff@SCHWABE.com>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>; Gigler, Philip <Philip.Gigler@cityofvancouver.us>; McJilton, Raelyn <Raelyn.McJilton@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

The documents you requested both regarding the demo (Sree) and the land use application (Keith) will be provided as part of Public Disclosure Request (PDR). You should have received confirmation on this request from our Records staff a week or so ago. The request will be completed by no later than May 21.

You did have some additional questions below regarding the demolition of the accessory buildings that I would like to follow up on. I'll address each separately:

1. Marathon has not requested to demolish any structures on site other than the old restaurant building (El Presidente) that was part of the Phase I development. That demo request was approved by the HPC and has since been demolished. The Historic Trust submitted a request for the Building Official to make an unfit building determination for both the Laundry and Boiler buildings back on December 12, 2019. That letter will be part of forthcoming PDR.
2. Do in large part to ongoing concerns the City has had regarding the structural integrity of the laundry, boiler and smokestack buildings and the potential safety risk they present the City put the Trust on notice in August of 2019 to provide a plan by March 1, 2020 to either repair/remodel or demolish these structures. This letter will be part of forthcoming PDR.
3. Because an official request was made on December 10, 2020 to determine if the building was unfit no additional analysis was done that would otherwise have been done as part of a demolition request. It is important to point out that there is a distinct difference between an official demolition request and an unfit building determination.
4. The unfit building determination is made by the building official following a specific set of findings as listed in VMC. CH 17.32. The process does not require a public hearing by any board or commission. However, we did take the request before the Building and Fire Codes Commission (BFCC) in February to get their feedback of our analysis. At that meeting we did inform the BFCC that we will also be taking the request to the HPC as a courtesy review and to get their feedback on the proposed mitigation measures for the potential loss of these structures if it is ultimately determined they are unfit. We had anticipated going before the HPC in April but due to Covid-19 this has been delayed. It will likely not be until June or July before this happens. After we meet with the HPC the building official will make his determination on the unfit status and put the Trust on the clock to either demolish or remodel the structures so as they are seismically sound and no longer prevent a safety risk.
5. For clarification purposes the unfit request is only limited to the boiler and laundry buildings. The smokestack is being managed separately and the initial plan is to try and preserve this structure through a seismic retrofit but the feasibility is still being determined. We hope to know more about this in the coming weeks.

If you have any other questions please feel free to contact me directly.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Friday, May 1, 2020 2:03 PM
To: Nortz, Jason
Cc: Katzaroff, Kenneth; Thirunagari, Sree; Jones, Keith (CED); Turner, Greg
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Thank you, Jason:

I look forward to talking to/hearing from you.

Regards,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Sent: Friday, May 1, 2020 2:00 PM
To: Moss, Alison <AMoss@SCHWABE.com>
Cc: Katzaroff, Kenneth <KKatzaroff@SCHWABE.com>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Thanks for the email. These are all very good questions. We have an internal meeting next week to discuss these questions in addition to ones you provided Keith. I appreciate your interest in the project but also want to make sure the information we're providing you is consistent and centralized. I'll follow up next week.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Friday, May 1, 2020 10:53 AM
To: Thirunagari, Sree
Cc: Nortz, Jason; Katzaroff, Kenneth

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Importance: High

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Good morning Sree:

I am following up on a telephone message I just left you and the email string below. I'm trying to figure out: (1) exactly which structures Marathon has asked to demolish; (2) its reasoning therefore; (3) what analysis has been conducted of the effect potential demolition on the cultural landscape and integrity of the Academy site and main building; (4) the extent to which you have considered repair or remediation; (5) when this matter will go before this CCHPC; and (6) whether the City has made any final determination.

I would greatly appreciate a return call and the provision of documents responding to these 6 topics.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

[Please visit our COVID-19 Resource page](#)

From: Moss, Alison <AMoss@SCHWABE.com>

Sent: Tuesday, April 21, 2020 3:07 PM

To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Sree:

Just following up on my email below. I know the pandemic has made things very difficult. If you could let me know when I might expect the requested documents, that would be very helpful and I could quit pestering you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: "Moss, Alison"
Sent: Tuesday, April 14, 2020 8:35 AM
To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you for your response, Sree:

I actually have no information on the demolition request other than Keith's email letting me know that Marathon had asked that you determine that the buildings are unfit. Could you please send me Marathon's request and any supporting arguments as well as your August, 2019 letter and any other response or request for information you have made?

Thank you,

Alison Moss
Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amos@schwabe.com

Schwabe Williamson & Wyatt
[Please visit our COVID-19 Resource page](#)

From: Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>
Sent: Monday, April 13, 2020 4:26 PM
To: Moss, Alison <AMoss@SCHWABE.com>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Hi Alison- I apologize for the delay in getting back to you. Given the current reality of COVID epidemic and the severe impact it is having on our community, I will be extending the timelines indicated in my August 2019 letter. I will be providing the updated letter with the revised timeline sometime this week.

Thank you.

Sree

Sree Thirunagari | Building Official



Please note that City Hall is closed to the public through April 30.
Please visit our [website](#) for a complete list of all facilities and programs affected by the [March 13 Declaration of Civil Emergency](#)

CITY OF VANCOUVER
Community and Economic Development
415 W. 6th St. (physical address) | 98660
P.O. Box 1995 | Vancouver, WA 98668-1995
Phone: 360-487-7838

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Monday, April 13, 2020 3:45 PM
To: Moss, Alison; Thirunagari, Sree
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Good afternoon Mr. Thirunagari:

I hope this email finds you well. I am following up on my email below ago requesting a copy of the application to determine that the laundry and boiler buildings at Providence Academy are unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss
Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt
[Please visit our COVID-19 Resource page](#)

From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Friday, April 3, 2020 4:54 PM
To: 'Sree.Thirunagari@cityofvancouver.us' <Sree.Thirunagari@cityofvancouver.us>
Subject: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Mr. Thirunagari:

Keith Jones advised me that the applicant for the Aegis at Providence Academy II has submitted a request that the laundry and boiler buildings be deemed unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt

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Laing, Tara J.

From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Sent: Thursday, May 21, 2020 10:05 AM
To: Moss, Alison
Cc: Jones, Keith (CED); Turner, Greg; Thirunagari, Sree; Gigler, Philip
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,
Thank you for the feedback and questions. My responses are below in red.

Thanks,
Jason

From: Moss, Alison [mailto:AMoss@SCHWABE.com]
Sent: Tuesday, May 19, 2020 5:47 PM
To: Nortz, Jason
Cc: Jones, Keith (CED); Turner, Greg; Thirunagari, Sree; Gigler, Philip
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thanks you, Jason:

Yes, I couldn't agree more that land use codes are frequently not entirely consistent or clear! However there are 2 provisions in Vancouver's Code which I think are quite clear and are being overlooked. First, while the Building Official makes the unfit premises determination under Chapter 17.32 VMC, that determination does not automatically result in demolition. Rather, under VMC 17.32.060, the Building Official may order the premises repaired, remediated or demolished. The Staff Report to the BFCC reiterates this two-step process in the following paragraph:

The primary purpose of the "Unfit Building and Premises Code" is to provide a just, equitable and practicable method, for determining if buildings, structures and/or premises are unfit for human habitation or other uses and are inimical to health and welfare of the general public *and may be required to be repaired, vacated or demolished*. (Emphasis added).

Agreed we are working on this and will make the determination per previous e-mails. As emphasized, it "may" be required to be repaired, vacated or demolished. Whether it is order to be repaired, vacated or demolished is a determination made by the building official based on the evidence. Additionally, CH 17.32.060 provides guidance in making the determination if the building can be repaired or demolished. There are a number of factors that come into play in making that determination including but not limited to the degree of structural deterioration and the cost of the repairs compared to the value of the building.

Second, the Code expressly requires approval by the HPC of demolition of buildings listed on the National Register of Historic Places. VMC 20.510.040 provides "Demolition permits for buildings listed on the... National Register of Historic Register (sic)... are subject to approval by the Clark County Historic Preservation Commission, subject to appeal to the City Council, as provided herein."

Section 20.510.050.A.3 gives two options for demolition:

- a. Building Official determines the building unsafe (Unfit determination)

- b. If the building is not deemed unsafe or unfit it is considered a “Demolition of Other Buildings” and goes to the HPC for a decision.

The City is currently working on a request to determine if an unfit building determination can be made. If there is enough evidence to support an unfit building determination than the decision to demolish, repair, remediate, etc.. would be at the sole discretion of the Building Official (subsection *a* above). As I mentioned before we reviewed all the supporting documentation including engineering analysis, economic analysis, and input from the Building and Fire Codes Commission and the City of Vancouver Fire Marshall. Additionally we will be taking this matter before the HPC as a courtesy in the coming months.

I do appreciate that the SEPA determination is administrative if by that we mean it is made by the Responsible Official and is appealable to the Hearing Examiner unless the Responsible Official that the project qualifies as a planned action project. To make a determination that demolition falls within the VCCV Planned Action, the Responsible Official must determine must make 10 findings, including:

- The proposed project's environmental impacts, both project specific and cumulative, have been adequately addressed and analyzed in the subarea plan and EIS for the planned action subarea;
- The proposed project's significant adverse environmental impacts will be adequately mitigated or avoided through application of the mitigation measures or other conditions required by the planned action ordinance, subarea plan or EIS for the planned action subarea. VMC 20.790.530.D.4 and.6.

With respect, I have seen nothing that analyzes the indirect impacts of demolishing the laundry and boiler buildings or cumulative impacts of their demolition on the Academy site and City Center. If there is any such analysis, I would greatly appreciate your providing it.

A finding will be made at the time. For an environmental impact, the City and State have codes and regulations that apply to demolition of buildings to control noise and dust and handling of an hazardous material. For historic resources and that environmental impact, again we will make this decision following input from the HPC and DAHP on mitigation measures proposed.

In terms of process, Keith had advised that the order of review would be as follows: unfit building determination; application completeness determination; presentation to the HPC of the project, and, presumably, then planned action project determination. Based on your emails I have concluded that he was mistaken and that the order the City intends to follows is: HPC review of proposed mitigation measures (but not of the project?); unfit building determination; application completeness; planned action project determination. It is only at that last step that the City can determine whether this project is a Type I application.

As both Keith and I stated, the presentation of the unfit building is not required and is an update. We will ask directly for input on the mitigation measures. The unfit building determination is a decision by the Building Official as stated previously. If it is determined to not be unfit then an official demolition request would need to be made by the Trust and that request would follow the requirements of VMC CH 20.510.050

If I misunderstood the process the City intends to follow, please let me know. What this process leaves out is the HPC's required action on any demolition request.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason
Sent: Monday, May 18, 2020 2:01 PM
To: Moss, Alison
Cc: Jones, Keith (CED) ; Turner, Greg ; Thirunagari, Sree ; Gigler, Philip
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,
Apologies if we caused any confusion. As I'm sure you can appreciate land use codes are not always as black and white as we would like them to be. Essentially, because the Trust requested the City make an unfit building determination that process gets reviewed solely by the Building Official per VMC 17.32 to determine if the building poses a life safety risk. As for the effects to the cultural landscape if the City determines the buildings are unfit we would require the applicant to provide mitigation measures to address the impact regarding the loss of those structures and the impact the loss of those structures would have to the cultural landscape. This would be a SEPA determination the City would make administratively to confirm it meets the requirements of the Planned Action Ordinance for the VCCV. The Trust has provided a list of potential mitigation measures. We have submitted those to DAHP for review and will also be presenting those to the HPC or input. HPC review is not required for this but similar to the BFCC review of the unfit building determination we would like to get this in front of the HPC for feedback to help inform our decision. Following the meeting and HPC input, both an unfit determination and determination as to the project's status under the Planned Action Ordinance will be made.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Monday, May 18, 2020 10:11 AM
To: Nortz, Jason
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you, Jason:

There seems to be some confusion between Keith Jones's May 6, 2020 email and your email below on point #3 regarding when staff will consult with the HPC; whether that consultation is required or is a courtesy; and what the HPC will be asked to review. Do you have time this week to discuss this matter by phone? I think it would be much simpler than trying to sort it out by back-and-forth emails.

Thank you,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt

From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>

Sent: Thursday, May 14, 2020 2:58 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Cc: Katzaroff, Kenneth <KKatzaroff@SCHWABE.com>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>; Gigler, Philip <Philip.Gigler@cityofvancouver.us>; McJilton, Raelyn <Raelyn.McJilton@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

The documents you requested both regarding the demo (Sree) and the land use application (Keith) will be provided as part of Public Disclosure Request (PDR). You should have received confirmation on this request from our Records staff a week or so ago. The request will be completed by no later than May 21.

You did have some additional questions below regarding the demolition of the accessory buildings that I would like to follow up on. I'll address each separately:

1. Marathon has not requested to demolish any structures on site other than the old restaurant building (El Presidente) that was part of the Phase I development. That demo request was approved by the HPC and has since been demolished. The Historic Trust submitted a request for the Building Official to make an unfit building determination for both the Laundry and Boiler buildings back on December 12, 2019. That letter will be part of forthcoming PDR.
2. Do in large part to ongoing concerns the City has had regarding the structural integrity of the laundry, boiler and smokestack buildings and the potential safety risk they present the City put the Trust on notice in August of 2019 to provide a plan by March 1, 2020 to either repair/remodel or demolish these structures. This letter will be part of forthcoming PDR.
3. Because an official request was made on December 10, 2020 to determine if the building was unfit no additional analysis was done that would otherwise have been done as part of a demolition request. It is important to point out that there is a distinct difference between an official demolition request and an unfit building determination.
4. The unfit building determination is made by the building official following a specific set of findings as listed in VMC. CH 17.32. The process does not require a public hearing by any board or commission. However, we did take the request before the Building and Fire Codes Commission (BFCC) in February to get their feedback of our analysis. At that meeting we did inform the BFCC that we will also be taking the request to the HPC as a courtesy review and to get their feedback on the proposed mitigation measures for the potential loss of these structures if it is ultimately determined they are unfit. We had anticipated going before the HPC in April but due to Covid-19 this has been delayed. It will likely not be until June or July before this happens. After we meet with the HPC the building official will make his determination on the unfit status and put the Trust on the clock to either demolish or remodel the structures so as they are seismically sound and no longer prevent a safety risk.
5. For clarification purposes the unfit request is only limited to the boiler and laundry buildings. The smokestack is being managed separately and the initial plan is to try and preserve this structure through a seismic retrofit but the feasibility is still being determined. We hope to know more about this in the coming weeks.

If you have any other questions please feel free to contact me directly.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Friday, May 1, 2020 2:03 PM
To: Nortz, Jason
Cc: Katzaroff, Kenneth; Thirunagari, Sree; Jones, Keith (CED); Turner, Greg
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Thank you, Jason:

I look forward to talking to/hearing from you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Sent: Friday, May 1, 2020 2:00 PM
To: Moss, Alison <AMoss@SCHWABE.com>
Cc: Katzaroff, Kenneth <KKatzaroff@SCHWABE.com>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Thanks for the email. These are all very good questions. We have an internal meeting next week to discuss these questions in addition to ones you provided Keith. I appreciate your interest in the project but also want to make sure the information we're providing you is consistent and centralized. I'll follow up next week.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Friday, May 1, 2020 10:53 AM
To: Thirunagari, Sree
Cc: Nortz, Jason; Katzaroff, Kenneth
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]
Importance: High

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Good morning Sree:

I am following up on a telephone message I just left you and the email string below. I'm trying to figure out: (1) exactly which structures Marathon has asked to demolish; (2) its reasoning therefore; (3) what analysis has been conducted of the effect potential demolition on the cultural landscape and integrity of the Academy site and main building; (4) the extent to which you have considered repair or remediation; (5) when this matter will go before this CCHPC; and (6) whether the City has made any final determination.

I would greatly appreciate a return call and the provision of documents responding to these 6 topics.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

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amoss@schwabe.com

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From: Moss, Alison <AMoss@SCHWABE.com>

Sent: Tuesday, April 21, 2020 3:07 PM

To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Sree:

Just following up on my email below. I know the pandemic has made things very difficult. If you could let me know when I might expect the requested documents, that would be very helpful and I could quit pestering you.

Regards,

Alison Moss

Shareholder

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From: "Moss, Alison"

Sent: Tuesday, April 14, 2020 8:35 AM

To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you for your response, Sree:

I actually have no information on the demolition request other than Keith's email letting me know that Marathon had asked that you determine that the buildings are unfit. Could you please send me Marathon's request and any supporting arguments as well as your August, 2019 letter and any other response or request for information you have made?

Thank you,

Alison Moss

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Direct: 206-407-1563
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amoss@schwabe.com

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From: Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>
Sent: Monday, April 13, 2020 4:26 PM
To: Moss, Alison <AMoss@SCHWABE.com>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Hi Alison- I apologize for the delay in getting back to you. Given the current reality of COVID epidemic and the severe impact it is having on our community, I will be extending the timelines indicated in my August 2019 letter. I will be providing the updated letter with the revised timeline sometime this week.

Thank you.

Sree

Sree Thirunagari | Building Official



Please note that City Hall is closed to the public through April 30.
Please visit our [website](#) for a complete list of all facilities and programs affected by the [March 13 Declaration of Civil Emergency](#)

CITY OF VANCOUVER
Community and Economic Development
415 W. 6th St. (physical address) | 98660
P.O. Box 1995 | Vancouver, WA 98668-1995
Phone: 360-487-7838

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Monday, April 13, 2020 3:45 PM
To: Moss, Alison; Thirunagari, Sree
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Good afternoon Mr. Thirunagari:

I hope this email finds you well. I am following up on my email below ago requesting a copy of the application to determine that the laundry and boiler buildings at Providence Academy are unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amos@schwabe.com

Schwabe Williamson & Wyatt

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From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Friday, April 3, 2020 4:54 PM
To: 'Sree.Thirunagari@cityofvancouver.us' <Sree.Thirunagari@cityofvancouver.us>
Subject: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Mr. Thirunagari:

Keith Jones advised me that the applicant for the Aegis at Providence Academy II has submitted a request that the laundry and boiler buildings be deemed unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amos@schwabe.com



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ATTACHMENT 8

Laing, Tara J.

From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>
Sent: Tuesday, May 5, 2020 2:41 PM
To: Moss, Alison
Cc: Nortz, Jason
Subject: RE: Aegis Phases I and II implicit assumptions
Attachments: Providence Academy SEPA Document for COV.DOCX; Meritus Laundry Boiler Opinion of Rehabilitation Feasibility_3-5-20.pdf; Kramer Gehlen Evaluation 1 6 2020.pdf

Hi Alison,

Below is an update:

Demolition of Laundry and Boiler Building

The applicant has requested that the laundry and boiler buildings be determined unfit and the decision rests with the Building Official.

Regarding SEPA, the site is within the VCCV Planned Action Ordinance, to qualify under the Planned Action Ordinance the applicant must demonstrate compliance with the ordinance, in particular the mitigation measures contained within the Planned Action EIS. The applicant has provided a response to the mitigation measures and I have attached a copy of the documents provided.

Although not required, staff plans to update the HPC at a regular HPC meeting and to solicit input from the HPC regarding the applicant's proposed mitigation measures in regards to the demolition of these buildings.

Following the meeting and HPC input, both an unfit determination and determination as to the project's status under the Planned Action Ordinance will be made. This is an administrative action without comment period or public hearing, so the City cannot make you a party of record. The update will be conducted at a regularly scheduled HPC meeting. The HPC meeting is a public meeting and noticed by County staff. Since this is not a public hearing it will be up to the HPC as to whether they will take public testimony on the item.

Phase I of Aegis

The decision on this project has been issued. You have been provided with the decision from 2018 as well as the recent Post Decision Review decision that contains the findings of fact and decision. Both were administrative decisions without comment period or open public hearing since they met the SEPA planned action mitigation measures. There are no other land use applications pending on this phase of the project.

Phase II Aegis

As I indicated, the land use application has been submitted but has not been determined to be counter complete. Once it is routed it will go through a fully complete review. The application will not be found fully complete until the unfit building determination is completed.

Once determined to be fully complete, the project will be presented at an HPC meeting for advisory review as required by Code.

If there is a compelling reason to reissue the SEPA and process the application as Type II, staff will do so. If this were to happen, during the notice of SEPA and/notice of application you could submit something in writing and be made a party of record. If there is no compelling reason to reissue the SEPA on this project then the decision would be a Type I without a public comment period or hearing. Additionally the only party of record would be the applicant.

The staff/HPC consultation will be conducted at a regularly scheduled HPC meeting, since it is not a hearing it is up to the HPC if they want to take public testimony during this meeting.

Your request below for the complete record has been forwarded to the appropriate staff to process.

From: Moss, Alison [mailto:AMoss@SCHWABE.com]
Sent: Thursday, April 30, 2020 6:15 PM
To: Jones, Keith (CED)
Cc: Nortz, Jason
Subject: RE: Aegis Phases I and II implicit assumptions

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Keith:

Thank you for your response. This is becoming extremely frustrating for me -- and I imagine for you as well. There *has* to be a better way for the City to communicate with interested persons and the public in general, particularly with regard to areas with particular public importance such as the Heritage Overlay Districts. As explained below, this all stems from the assumption that Phase II falls within the VCCV Planned Action. The information we have to date indicates that Phase II, which relies upon the demolition of two historic buildings within Heritage Overlay District Number One, is not consistent with several of the Planned Action Project criteria, including VMC 20.790.530.D.4 and D.6, and, therefore, not is appropriately processed a Type I application.

Consequently, **I renew my request to be made a party of record** as to Phase II and any revisions to Phase I it may necessitate.

As email string below indicates, on March 30, I asked that you make me a party of interest/party of record for Aegis Phase II (and Phase I because we understood that Phase II might well require modifications to Phase I). The next day you responded that Phase II "is also a Type I administrative decision, so there is also no party of record for this." You advised me that I would have to "check in with [you] on the status."

Phase II is only a Type I application if two determinations are made: (a) Phase II satisfies all of the criteria in VMC 20.790.530.D; and (b) the Building Official not only determines that the laundry and boiler buildings are unsafe, but also orders their demolition. The former determination obviously *cannot* be made until an application has been submitted and carefully reviewed. It is simply not possible to determine that the impacts of Phase II, both project specific and cumulative, have been adequately addressed in the VCCV FSEIS and that its significant environmental impacts will be adequately mitigated or avoided. It appears unlikely will be able to find that the FSEIS adequately addresses the impacts of demolition of the laundry and boiler buildings in light of the fact that the FSEIS does not address demolition of historic buildings.

Am I now to understand that an application has been submitted for Phase II? If so, **please send me the entire application and any communications the City has had with the applicant and/or property owner with regard to the application.**

As to the second determination the City must make to classify Phase II as a Type I application, I have had difficulty in obtaining timely responses to requests for information. I asked the Building Official on April 3 and April 10 for Marathon's request to have the laundry and boiler buildings determined unfit and any supporting documents. I have not received them.

I suggest that you, Mr. Nortz, and I have a conference call to discuss a better process and how I may stay informed about the Aegis project(s) so that I am able to provide a meaningful comment before decisions are made, particularly the determination as to whether Phase II qualifies as a Planned Action project.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>

Sent: Thursday, April 30, 2020 3:03 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Subject: RE: Aegis Phases I and II implicit assumptions

Hi Alison,

Phase I building permit is an a new review cycle, looks like City review comments on this cycle are due middle of May. Not sure what you mean by pre-application appointments, if you are asking about Phase II land use application, it has been submitted as is currently in pre-screening with our permit staff. Once it is accepted by permit staff it is counter complete and routed for fully complete review.

We have an electronic permit system, currently it is only accessible by staff and the applicants, applicants are limited access to their projects.

I have attached the Post Decision Review decision for Phase I that you asked about previously.

Regards

Keith

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Tuesday, April 28, 2020 4:14 PM

To: Jones, Keith (CED)

Subject: RE: Aegis Phases I and II implicit assumptions

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Good afternoon Keith:

I hope this email finds you well! Could you please give me an update of the status of the Phase I building permit? Also, can I view pre-application appointments on line so that I do not have to bug you?

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>
Sent: Thursday, April 9, 2020 2:48 PM
To: Moss, Alison <AMoss@SCHWABE.com>
Subject: RE: Aegis Phases I and II implicit assumptions

Alison,

Yes my response is based on assumptions of what the applicant has provided to date including the pre-application on phase II and on the fact that Phase I decision has been issued. My role is development review, so I will review what is submitted by the applicant to the requirements of the code.

As stated, the unfit determination is up to the building official. You could also discuss the unfit determination with the division manager Jason Nortz Jason.Nortz@cityofvancouver.us (360) 487-7844.

We have not received any preapps lately, I believe you obtained a copy of the Phase II preapp. As mentioned previously, the applicant has submitted for post decision review to remove the canopy from the plaza and convert the ground floor of Building B from commercial to residential. The building permit is still in review status and has not yet been issued.

Keith

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Tuesday, April 7, 2020 12:42 PM
To: Jones, Keith (CED)
Subject: RE: Aegis Phases I and II implicit assumptions

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Thank you, Keith:

I appreciate the time you have spent responding to my questions. I would be remiss, however, if I did not know that your email below is based on a number of assumptions, including: (1) the Building Official will not only determined that the laundry and boiler buildings are unsafe, but also order demolition; (2) Phase II qualifies as a Planned Action; and (3) a Post – Decision review of any proposed revisions to Phase I will not substantially change the nature of the proposed development. None of these is a foregone conclusion.

The Building Official may order repair or remediation, not simply demolition. (VMC 17.32.060) The former options deserve particularly serious consideration in light of the purpose of the Heritage Overlay District to preserve the special architectural character and/or historic or cultural significance of the Providence Academy site. (VMC 20.510.010 and 20.510.020.A). Whether Phase II qualifies as a Planned Action and the effect of any revisions proposed to Phase I must be based on the facts and merits of applications which have not yet been submitted. I am sure it was not your intent to prejudge these issues.

Could you please let me know whether any applications have been submitted or requests for further preapplication meetings made? I would also appreciate an update on the status of the building permits for Phase I.

Thank you again,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>

Sent: Wednesday, April 1, 2020 2:53 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Subject: RE: Aegis Phases I and II Party of Record

Hi Alison,

I understand your point, but unfortunately we don't have parties of record for Type I. During review of Phase I, people made comments so we incorporated those comments during the staff review and decision and we will do the same for Phase II. The Historic Preservation Commission was advisory and they made the decision to allow public testimony during the advisory meeting. Phase II will also have an advisory meeting and it is likely the commission will follow the same process.

Regarding changes to Phase 1, the applicant requests removal of the cover in the plaza and to convert ground floor commercial use in the north building to residential use. This is handled as a Post Decision review, Type I decision. Changes to Phase 1 to accommodate Phase 2 could include removal of some of the Phase 1 surface parking and spaces made up by building the parking garage with Phase 2. The applicant's intent is to create more open space and less surface parking.

I believe this is an issue of timing. If the developer builds both phases at once then Phase 2 approval would modify the Phase 1 approval. If the developer builds Phase 1 first they must meet the minimum parking just for Phase I. In that case they would need to build out the parking as approved. However, to avoid removing improved surface parking later, they may instead be able to use the unimproved parking allowed by the development agreement to temporarily accommodate the parking until Phase 2 is constructed.

Regarding the laundry and boiler buildings, the applicant has submitted to the building official requesting that the buildings be deemed unfit by the building department and is currently under review. If the building official determines the buildings unfit then a hearing would not occur. If you have questions about this you could talk with the Building Official Sree Thirunagari Sree.Thirunagari@cityofvancouver.us (360) 487-7838.

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Tuesday, March 31, 2020 5:06 PM

To: Jones, Keith (CED)

Subject: RE: Aegis Phases I and II Party of Record

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Keith:

Thank you for your response. The purpose of my request was twofold: (1) to avoid my having to bug you frequently to understand the status; and (2) to receive notices, recommendations, decisions etc. Let me further clarify:

Phase I. The reason I asked to be a Party of Record/Interest for Phase I is that the preapplication materials for Phase II suggests, perhaps incorrectly, that Phase II will require a modification of Phase I. If that is the case, I wish to understand how Phase I will be modified.

I was aware that: Phase I has been approved; it was a Type I administrative decision; Type I decisions do not *require* public notice or a public comment period; and appeals of Type I decisions are restricted to the applicant or property owner. I would certainly agree that those procedures are not ideal for a development which surrounds the Providence Academy, but those are the procedures specified for Type I applications. As I read the Code, it does not prohibit consideration of public comments or the notification of interested persons of actions the City has taken. In fact, the Decision on Phase I noted that the City had received public comment and attach those comments as an exhibit to the Decision. However, if it is the City's practice to ask interested persons to periodically request updates, I am certainly happy to follow that practice.

Phase II. With respect, I do not believe that Phase II is simply a Type I administrative decision. The City's Pre-Application Conference memorandum explains that Phase II includes demolition of historic structures which requires approval from the CCHPC. VMC 20.510.040. Unlike a Type I decision, the City must publish a legal notice and mail the notice to all property owners within 500 feet of the property at least 30 days prior to review by the CCHPC. VMC 20.510.050.A.c.i. The CCHPC's decision may be appealed to the City Council. VMC 20.510.040. Thus, the demolition of the historic structures appears to require a Type III decision.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

Schwabe Williamson & Wyatt

[Please visit our COVID-19 Resource page](#)

From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>

Sent: Tuesday, March 31, 2020 10:30 AM

To: Moss, Alison <AMoss@SCHWABE.com>

Subject: RE: Aegis Phases I and II Party of Record

Hi Alison,

Phase I is approved and is also a Type I administrative decision without notice, so there is no party for record for this.

Phase II has not been submitted and is also a Type I administrative decision, so there is also no party of record for this.

I understand this not ideal, but unfortunately you need to check in with me on the status.

I will get back to you on your other questions.

Keith

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Monday, March 30, 2020 2:02 PM

To: Jones, Keith (CED)

Subject: Aegis Phases I and II Party of Record

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Keith:

I hope this email finds you well and maintaining your sanity during this terrible pandemic!

Could you please make me a party of record/party of interest in all files related to Aegis at Providence Academy Phase I and Phase II? If you need specific file numbers for me, I can provide you those I have.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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Laing, Tara J.

From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>
Sent: Monday, May 18, 2020 2:01 PM
To: Moss, Alison
Cc: Jones, Keith (CED); Turner, Greg; Thirunagari, Sree; Gigler, Philip
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Apologies if we caused any confusion. As I'm sure you can appreciate land use codes are not always as black and white as we would like them to be. Essentially, because the Trust requested the City make an unfit building determination that process gets reviewed solely by the Building Official per VMC 17.32 to determine if the building poses a life safety risk. As for the effects to the cultural landscape if the City determines the buildings are unfit we would require the applicant to provide mitigation measures to address the impact regarding the loss of those structures and the impact the loss of those structures would have to the cultural landscape. This would be a SEPA determination the City would make administratively to confirm it meets the requirements of the Planned Action Ordinance for the VCCV. The Trust has provided a list of potential mitigation measures. We have submitted those to DAHP for review and will also be presenting those to the HPC for input. HPC review is not required for this but similar to the BFCC review of the unfit building determination we would like to get this in front of the HPC for feedback to help inform our decision. Following the meeting and HPC input, both an unfit determination and determination as to the project's status under the Planned Action Ordinance will be made.

Thanks,
Jason

From: Moss, Alison [mailto:AMoss@SCHWABE.com]
Sent: Monday, May 18, 2020 10:11 AM
To: Nortz, Jason
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you, Jason:

There seems to be some confusion between Keith Jones's May 6, 2020 email and your email below on point #3 regarding when staff will consult with the HPC; whether that consultation is required or is a courtesy; and what the HPC will be asked to review. Do you have time this week to discuss this matter by phone? I think it would be much simpler than trying to sort it out by back-and-forth emails.

Thank you,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason
Sent: Thursday, May 14, 2020 2:58 PM
To: Moss, Alison
Cc: Katzaroff, Kenneth ; Thirunagari, Sree ; Jones, Keith (CED) ; Turner, Greg ; Gigler, Philip ; McJilton, Raelyn
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

The documents you requested both regarding the demo (Sree) and the land use application (Keith) will be provided as part of Public Disclosure Request (PDR). You should have received confirmation on this request from our Records staff a week or so ago. The request will be completed by no later than May 21.

You did have some additional questions below regarding the demolition of the accessory buildings that I would like to follow up on. I'll address each separately:

1. Marathon has not requested to demolish any structures on site other than the old restaurant building (El Presidente) that was part of the Phase I development. That demo request was approved by the HPC and has since been demolished. The Historic Trust submitted a request for the Building Official to make an unfit building determination for both the Laundry and Boiler buildings back on December 12, 2019. That letter will be part of forthcoming PDR.
2. Do in large part to ongoing concerns the City has had regarding the structural integrity of the laundry, boiler and smokestack buildings and the potential safety risk they present the City put the Trust on notice in August of 2019 to provide a plan by March 1, 2020 to either repair/remodel or demolish these structures. This letter will be part of forthcoming PDR.
3. Because an official request was made on December 10, 2020 to determine if the building was unfit no additional analysis was done that would otherwise have been done as part of a demolition request. It is important to point out that there is a distinct difference between an official demolition request and an unfit building determination.
4. The unfit building determination is made by the building official following a specific set of findings as listed in VMC. CH 17.32. The process does not require a public hearing by any board or commission. However, we did take the request before the Building and Fire Codes Commission (BFCC) in February to get their feedback of our analysis. At that meeting we did inform the BFCC that we will also be taking the request to the HPC as a courtesy review and to get their feedback on the proposed mitigation measures for the potential loss of these structures if it is ultimately determined they are unfit. We had anticipated going before the HPC in April but due to Covid-19 this has been delayed. It will likely not be until June or July before this happens. After we meet with the HPC the building official will make his determination on the unfit status and put the Trust on the clock to either demolish or remodel the structures so as they are seismically sound and no longer prevent a safety risk.
5. For clarification purposes the unfit request is only limited to the boiler and laundry buildings. The smokestack is being managed separately and the initial plan is to try and preserve this structure through a seismic retrofit but the feasibility is still being determined. We hope to know more about this in the coming weeks.

If you have any other questions please feel free to contact me directly.

Thanks,
Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Friday, May 1, 2020 2:03 PM
To: Nortz, Jason
Cc: Katzaroff, Kenneth; Thirunagari, Sree; Jones, Keith (CED); Turner, Greg
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Thank you, Jason:

I look forward to talking to/hearing from you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

Schwabe Williamson & Wyatt

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From: Nortz, Jason <Jason.Nortz@cityofvancouver.us>

Sent: Friday, May 1, 2020 2:00 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Cc: Katzaroff, Kenneth <KKatzaroff@SCHWABE.com>; Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>; Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>; Turner, Greg <Greg.Turner@cityofvancouver.us>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Alison,

Thanks for the email. These are all very good questions. We have an internal meeting next week to discuss these questions in addition to ones you provided Keith. I appreciate your interest in the project but also want to make sure the information we're providing you is consistent and centralized. I'll follow up next week.

Thanks,

Jason

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]

Sent: Friday, May 1, 2020 10:53 AM

To: Thirunagari, Sree

Cc: Nortz, Jason; Katzaroff, Kenneth

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Importance: High

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Good morning Sree:

I am following up on a telephone message I just left you and the email string below. I'm trying to figure out: (1) exactly which structures Marathon has asked to demolish; (2) its reasoning therefore; (3) what analysis has been conducted of

the effect potential demolition on the cultural landscape and integrity of the Academy site and main building; (4) the extent to which you have considered repair or remediation; (5) when this matter will go before this CCHPC; and (6) whether the City has made any final determination.

I would greatly appreciate a return call and the provision of documents responding to these 6 topics.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

Schwabe Williamson & Wyatt

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From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Tuesday, April 21, 2020 3:07 PM
To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Sree:

Just following up on my email below. I know the pandemic has made things very difficult. If you could let me know when I might expect the requested documents, that would be very helpful and I could quit pestering you.

Regards,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amos@schwabe.com

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From: "Moss, Alison"
Sent: Tuesday, April 14, 2020 8:35 AM
To: 'Thirunagari, Sree' <Sree.Thirunagari@cityofvancouver.us>
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Thank you for your response, Sree:

I actually have no information on the demolition request other than Keith's email letting me know that Marathon had asked that you determine that the buildings are unfit. Could you please send me Marathon's request and any supporting arguments as well as your August, 2019 letter and any other response or request for information you have made?

Thank you,

Alison Moss

Shareholder

Direct: 206-407-1563

Mobile: 206-979-3185

amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Thirunagari, Sree <Sree.Thirunagari@cityofvancouver.us>

Sent: Monday, April 13, 2020 4:26 PM

To: Moss, Alison <AMoss@SCHWABE.com>

Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Hi Alison- I apologize for the delay in getting back to you. Given the current reality of COVID epidemic and the severe impact it is having on our community, I will be extending the timelines indicated in my August 2019 letter. I will be providing the updated letter with the revised timeline sometime this week.

Thank you.

Sree

Sree Thirunagari | Building Official



Please note that City Hall is closed to the public through April 30.

Please visit our [website](#) for a complete list of all facilities and programs affected by the [March 13 Declaration of Civil Emergency](#)

CITY OF VANCOUVER

Community and Economic Development

415 W. 6th St. (physical address) | 98660

P.O. Box 1995 | Vancouver, WA 98668-1995

Phone: 360-487-7838

From: Moss, Alison [<mailto:AMoss@SCHWABE.com>]
Sent: Monday, April 13, 2020 3:45 PM
To: Moss, Alison; Thirunagari, Sree
Subject: RE: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

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Good afternoon Mr. Thirunagari:

I hope this email finds you well. I am following up on my email below ago requesting a copy of the application to determine that the laundry and boiler buildings at Providence Academy are unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

Schwabe Williamson & Wyatt

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From: Moss, Alison <AMoss@SCHWABE.com>
Sent: Friday, April 3, 2020 4:54 PM
To: 'Sree.Thirunagari@cityofvancouver.us' <Sree.Thirunagari@cityofvancouver.us>
Subject: Aegis Phase II demolition request [IWOV-pdx.FID4488786]

Good afternoon Mr. Thirunagari:

Keith Jones advised me that the applicant for the Aegis at Providence Academy II has submitted a request that the laundry and boiler buildings be deemed unfit. Could you please send me a copy of the application and make me a Party of Interest/Party of Record?

Thank you for your assistance,

Alison Moss

Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

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ATTACHMENT 9

From: Mike Odren
To: [Jones, Keith \(CED\)](#)
Subject: RE: Aegis Phase 2
Date: Tuesday, February 18, 2020 1:31:34 PM

This message has been archived. [View the original item](#)

That's what I thought. Thanks!

From: Jones, Keith (CED)
<Keith.Jones@cityofvancouver.us<<mailto:Keith.Jones@cityofvancouver.us>>>
Sent: Tuesday, February 18, 2020 1:29 PM
To: Mike Odren <mikeo@olsonengr.com<<mailto:mikeo@olsonengr.com>>>
Subject: RE: Aegis Phase 2

It is Type I, so no mailing labels.

From: Mike Odren [<mailto:mikeo@olsonengr.com>]
Sent: Tuesday, February 18, 2020 1:29 PM
To: Jones, Keith (CED)
Cc: Mike Odren
Subject: Aegis Phase 2

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.
Keith,

Do we need to submit mailing labels for Aegis Phase 2? I don't believe we needed to with Phase 1.

Thanks!

Mike

Michael Odren, RLA
Landscape Architect, Land Use Planner
Associate Principal
Olson Engineering, Inc.
222 E. Evergreen Boulevard
Vancouver, WA 98660
(360) 695-1385
OR (503) 289-9936
Fax (360) 695-8117

Confidentiality Noti

Laing, Tara J.

From: Jones, Keith (CED) <Keith.Jones@cityofvancouver.us>
Sent: Tuesday, March 31, 2020 10:30 AM
To: Moss, Alison
Subject: RE: Aegis Phases I and II Party of Record

Hi Alison,

Phase I is approved and is also a Type I administrative decision without notice, so there is no party for record for this.

Phase II has not been submitted and is also a Type I administrative decision, so there is also no party of record for this.

I understand this not ideal, but unfortunately you need to check in with me on the status.

I will get back to you on your other questions.

Keith

From: Moss, Alison [mailto:AMoss@SCHWABE.com]
Sent: Monday, March 30, 2020 2:02 PM
To: Jones, Keith (CED)
Subject: Aegis Phases I and II Party of Record

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Keith:

I hope this email finds you well and maintaining your sanity during this terrible pandemic!

Could you please make me a party of record/party of interest in all files related to Aegis at Providence Academy Phase I and Phase II? If you need specific file numbers for me, I can provide you those I have.

Regards,

Alison Moss
Shareholder
Direct: 206-407-1563
Mobile: 206-979-3185
amoss@schwabe.com

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ATTACHMENT 10

From: [Aaron M. Wigod](#)
To: [Jones, Keith \(CED\)](#)
Subject: Aegis - Phase II - Parking
Date: Tuesday, September 24, 2019 10:38:27 AM
Attachments: [Aegis - Phase I - Site Plan - Parcel 4 Highlighted.pdf](#)
[Aegis - Phase II - Site Plan - Parcel 4 Highlighted.pdf](#)

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Hi Keith:

Soon we will be submitting the pre-application application for Aegis Phase II. We've talked briefly about the fact that a portion of the property on which Phase II will be built is currently a portion of Phase I's parking area.

We arranged the boundary lines for this issue. Phase I is on Parcels 2, 3 & 4. Phase II is on Parcels 4 & 5. Parcel 4 is currently part of Phase I but will be transferred to and become a part of Phase II.

Attached are site plans for both Phases with Parcel 4 highlighted. You can see that Parcel 4 needs to be removed from Phase I and given to Phase II.

Phase II includes a parking garage that has sufficient parking for Phase II and to meet the balance of the parking requirement for Phase I that is lost on Parcel 4.

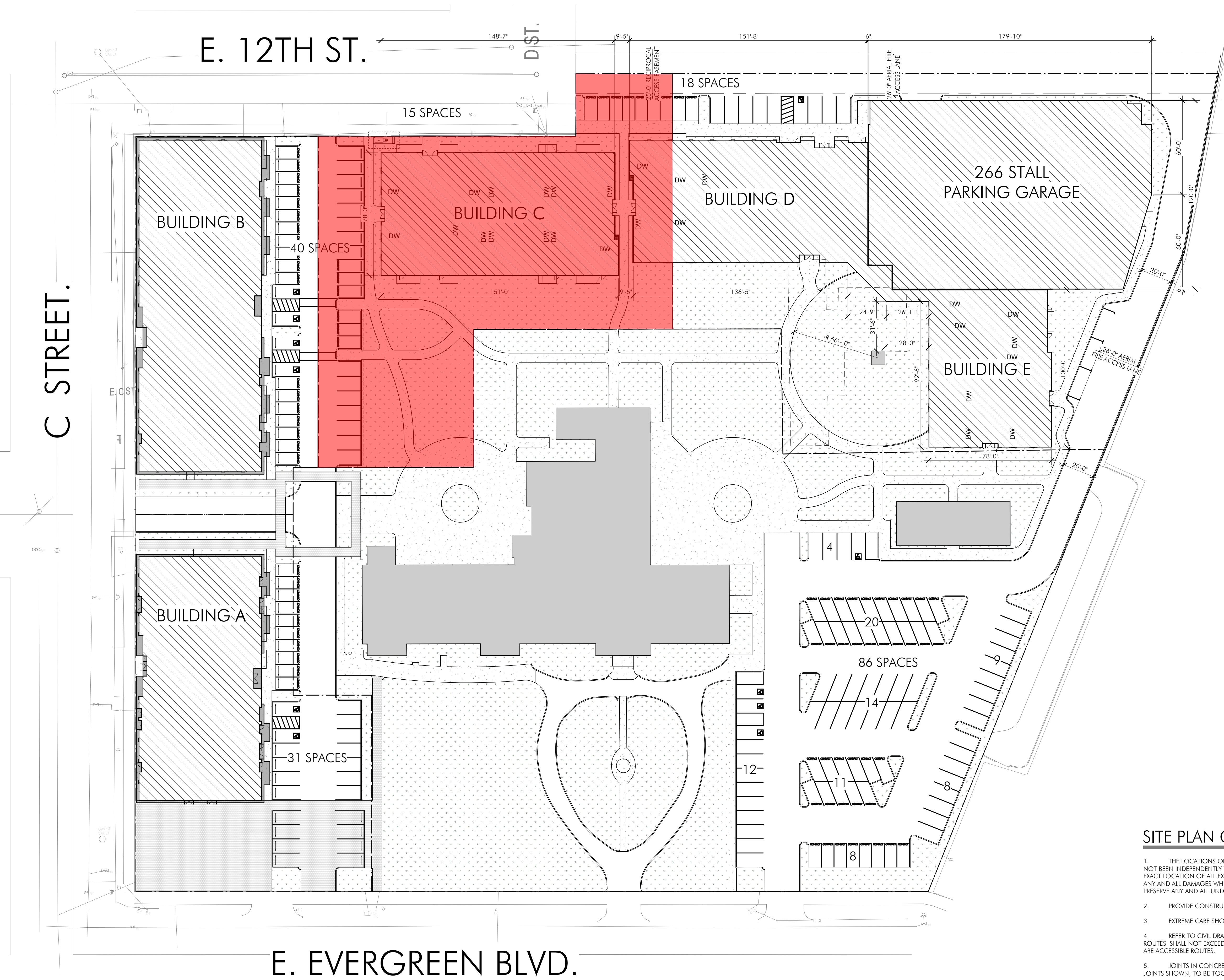
There is a chance we build both phases together. It's also possible that we will build Phase I, and then once Phase I is stabilized, build Phase II. I'd like to explore our land use options for either of these scenarios. I know this is a fairly unique issue and we appreciate your help.

Ideally as part of initial construction of Phase I we will only build the parking on Parcels 2 & 3 and the parking along the main drive isle on Parcel 4. Hopefully the City will give us some period of time (maybe two years) after TCO to use the unimproved parking on Parcel 4 to meet the remainder of the parking requirement for Phase I. Before that time period expires we will either build the remaining required parking for Phase I (whether on Parcel 4 as shown on the Phase I site plan or in the parking structure on Parcel 5 as shown on the Phase II site plan). Obviously we would need to enter into cross parking/easement agreements.

What we don't want to do is build the all of parking on Parcel 4 only to shortly thereafter demolish it to build Phase II. It would be a horrible waste of resources.

Please give it some thought and then let's talk. Thanks.

Aaron M. Wigod
Marathon Acquisition & Development
30050 SW Town Center Loop West, Suite 200
Wilsonville, Oregon 97070
Phone: (503) 582-8442
Fax: (503) 582-8383
www.marathonpad.com



SITE PLAN NOTES:

- 1 NEW PARKING AREAS, SEE CIVIL
- 2 CUT BACK EXISTING ASPHALT AS REQUIRED FOR NEW WORK
- 3 PROVIDE VAN ACCESSIBLE PARKING SIGN, TYP.
- 4 PROVIDE ACCESSIBLE PARKING SYMBOL STRIPING, TYP.
- 5 NEW SIDEWALK TO CONNECT INTO EXISTING, MAXIMUM SLOPE 5%, MAXIMUM CROSS SLOPE 1.5%
- 6 NEW ACCESSIBLE RAMP FROM PARKING STALL PROVIDE NO CURB FROM MANEUVERING AREA TO SIDEWALK.
- 7 TRASH/RECYCLING AREA INSIDE BUILDING. TRASH STAGING AREA IN PARKING LOT.
- 8 FLUSH CURB BETWEEN BUILDING AND PARKING, ALONG EDGE OF PLAZA, AND AS NOTED.
- 9 BRICK PAVER PLAZA, PARKING AREA, WALKWAYS, AND AS NOTED. REFER TO LANDSCAPE PLAN FOR PLAZA.

SITE PLAN LEGEND:

- BUILDING AREA
- BUILDING OVERHANG ABOVE
- LANDSCAPING
- CONCRETE FLOOR/SIDEWALK/PAD

SITE SUMMARY TABLE:

TAX NUMBERS:	309080000	
PARCEL ZONE:	CC	
SITE AREA:	167,308.73 s.f. (3.84 ACRES)	
5 BUILDINGS + GARAGE:	354 UNITS	
RESIDENTIAL DENSITY:	92.2 UNITS/ACRE	
RESIDENTIAL FLOOR AREA:	102,512 s.f.	
COMMERCIAL FLOOR AREA:	7,020 s.f.	
BUILDING AREA (BLDG A):	68,700 s.f.	
BUILDING AREA (BLDG B):	101,012 s.f.	
BUILDING AREA (BLDG C):	73,223 s.f.	
BUILDING AREA (BLDG D):	74,132 s.f.	
BUILDING AREA (BLDG E):	49,741 s.f.	
BUILDING FOOTPRINT:	27,958 s.f.	= 29.0%
IMPERVIOUS AREA:	59,496 s.f.	= 61.7%
LANDSCAPED AREA:	8,942 s.f.	= 9.3%
PARKING REQUIREMENTS:		
RESIDENTIAL 1 SPACE PER UNIT:	354 Spaces	
RETAIL 1 SPACE PER 1000 SF:	8 Spaces	
REDUCTIONS:		
20.550.040-5 (Transit Overlay):	25% Reduction = 90	
On-street Parking along frontage:	22 Spaces	
NET PARKING REQUIREMENT:	250 Spaces	
Spaces provided On-Site:	340 Spaces	

SITE PLAN GENERAL NOTES:

1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVES. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTORS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
2. PROVIDE CONSTRUCTION FENCING AS REQUIRED TO SECURE SITE AND BUILDINGS DURING CONSTRUCTION.
3. EXTREME CARE SHOULD BE TAKEN TO PRESERVE EXISTING ROOTS OF TREES TO REMAIN.
4. REFER TO CIVIL DRAWINGS FOR GRADING. SITE IS REQUIRED TO MEET THE LAWS OF FHA AND ADA. ACCESSIBLE ROUTES SHALL NOT EXCEED 5% (1 IN 20) OR CROSS SLOPES SHALL NOT EXCEED 2% (1 IN 50). ALL AT GRADE SIDEWALKS ARE ACCESSIBLE ROUTES.
5. JOINTS IN CONCRETE WALKS NOTED AS E.J. ARE TO BE CONSTRUCTED AS EXPANSION JOINTS. ALL OTHER JOINTS SHOWN, TO BE TOOLED CONTROL JOINTS, SEE CIVIL.
6. SEE LANDSCAPE DRAWINGS FOR LANDSCAPE AND IRRIGATION ELEMENTS.
7. SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.
8. DIMENSIONS ON THIS DRAWING ARE TO FACE OF FOUNDATION WALLS.
9. IF ARCHAEOLOGICAL DEPOSITS ARE DISCOVERED DURING SITE WORK, WORK MUST STOP AND THE CITY OF VANCOUVER AND STATE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION MUST BE NOTIFIED.

