

**BEFORE THE HEARING EXAMINER
FOR CITY OF VANCOUVER**

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| In the Matter of the Application of |) | NO. PRJ-168322/LUP-83455 |
| |) | |
| |) | |
| C-TRAN |) | C-TRAN Phase 5B |
| |) | |
| |) | |
| For a Conditional Use Permit, Variance, and |) | |
| <u>Site Plan Approval</u> |) | |

SUMMARY OF DECISIONS

The requested conditional use permit, variance, and site plan approval are **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

C-TRAN requested a conditional use permit and site plan approval to expand an existing C-TRAN facility by constructing a park and ride lot, bus ramp, high-impact concrete lot, and street improvements, and a variance to allow a fence height of 10 feet. The subject property is located at 2425 NE 65th Avenue, Vancouver, Washington.

Hearing Date:

The Vancouver Hearing Examiner held a virtual open record hearing on the application on November 21, 2023. In an abundance of caution, the record was held open two business days (through November 27 due to Thanksgiving holiday) to allow for written public comment from members of the public who had difficulty joining the virtual hearing, with additional time arranged for responses by the parties. No post-hearing public comment was submitted. The record was also held open through November 29, 2023 to allow the parties to respond to landscaping issues discussed at the hearing. The requested documentation was timely submitted, and the record closed on November 29, 2023. No in-person site visit was conducted, but the undersigned viewed the subject property and environs on Google Maps.

Testimony:

At the open record hearing the following individuals presented testimony under oath:

Ethan Spoo, Land Use Planner, WSP USA (Applicant representative)

Nikki Meller, Project Manager, C-TRAN

Meetal Salunkhe, Senior Associate Landscape Architect

Anthony Tortorici, Senior Planner, City of Vancouver

Exhibits:

At the open record hearing, the following exhibits were admitted in the record:

1. Staff Report, dated November 3, 2023
 - A. Application
 - B. Applicant Narrative
 - C. Plans
 - D. Notice of Application, Public Hearing, and Optional Determination of Non-Significance, dated August 23, 2023
 - E. Letter from Department of Ecology, dated September 21, 2023
 - F. Development Review Evaluation from Clark County Public Health, dated March 3, 2023
 - G. SEPA Checklist
 - H. Geotechnical Report, dated November 22, 2022
 - I. Hydrogeology Report and Addendum, dated November 17, 2021
 - J. Transportation Impact Study and Management Plan, dated July 2023
 - K. Arborist Memo, dated August 4, 2022
 - L. Updated Tree Density email, dated October 23, 2023
2. Applicant PowerPoint Presentation
3. City PowerPoint Presentation
4. City Memo dated November 28, 2023 re: Modification of Conditions
5. Response Letter from Scott Patterson, C-TRAN dated November 29, 2023

After considering the testimony and exhibits admitted in the record, the Hearing Examiner enters the following findings and conclusions:

FINDINGS

1. C-TRAN (Applicant) requested a conditional use permit and site plan approval to expand an existing C-TRAN facility by constructing a park and ride lot, bus ramp, high-impact concrete lot, and street improvements, and a variance to allow a fence height of 10 feet. The subject property is located at 2425 NE 65th Avenue, Vancouver, Washington.¹
Exhibits 1, 1.A, 1.B, and 1.C.
2. The application was submitted on June 26, 2023 and deemed complete on August 9, 2023. *Exhibit 1.D.*

¹ The legal description of the subject property is stated in the staff report as a portion of the Southeast Quarter of Section 19, Township 2N, Range 2E of the Willamette Meridian; also known as Tax Parcel Number 161875000. *Exhibit 1.*

3. The Applicant, southwest Washington’s regional transportation agency, operates a bus maintenance facility on its parcel located at the northeast corner of NE 65th Avenue and NE 18th Street. The existing bus maintenance facility is located in the northern portion of the parcel. *Exhibits 1.B and 2.* The Applicant currently operates bus service in the vicinity of the subject property, with Route 30 running on NE 18th Street along the property frontage. *Exhibit 1.J.*
4. The Applicant proposes to expand operations on the site by constructing a bus ramp and high-impact concrete lot for C-TRAN buses, an 80-stall park and ride facility, and a bus shelter pad and bus turnout on NE 18th Street. The proposed improvements would occupy 4.46 acres within the southeast portion of the parcel, an area identified in the project plans as Phase 5B. *Exhibits 1.B and 2.*
5. Immediately west of Phase 5B are previously approved C-TRAN facility expansion areas, including employee parking and maintenance facilities. Off-site to the east of Phase 5B are a gas station and auto parts store. Off-site to the north and northeast of Phase 5B are a brewery and paint and flooring stores. NE 18th Street is south of Phase 5B. *Exhibit 1 and 1.B.*
6. The subject property contains two zoning designations. Most of the C-TRAN property, including the western portion of Phase 5B, is zoned Light Industrial (IL). The eastern portion of Phase 5B is zoned General Commercial (CG). *Exhibits 1, 2, and 3.* Adjacent parcels to the north, northeast, and east of Phase 5B are also zoned CG. The parcels on the south side of NE 18th Street across from Phase 5B are zoned IL and CG, with IL zoning across from the IL portion of Phase 5B and CG zoning across from the CG portion of Phase 5B. *Exhibit 3.*
7. The intent of the IL zone is to provide “appropriate locations for combining light, clean industries including industrial service, manufacturing, research/development, warehousing activities, and general office uses and limited retail.” *Vancouver Municipal Code (VMC) 20.440.020.B.*
8. The CG zone “is designed to allow for a full range of retail, office, mixed use and civic uses with a city-wide to regional trade area... .” Allowed light industrial uses are “limited so not to detract from the predominant commercial character of the district.” Although development is expected to be auto-accommodating, “trips by alternative modes – walking, cycling and transit – should be encouraged through building/site design, landscaping and access.” *VMC 20.430.020.C.*
9. The City classifies the existing bus maintenance facility as an “industrial services” land use and applies the same industrial services classification to the proposed bus ramp and high-impact concrete lot. Industrial services are allowed outright in the IL zone but require a CUP in the CG zone. Surface park and ride facilities are allowed in both zones without a CUP, provided the use complies with the development standards of VMC 20.430.040.E. *VMC Table 20.440.030-1; VMC Table 20.430.030-1; Exhibits 1 and 1.B.*

10. The development standards of VMC 20.430.040.E require park and ride facilities to satisfy the following standards: to be compatible with the scale, architectural style, and design of buildings in the immediate vicinity and/or any adopted design guidelines; to provide a transportation management plan; and, for facilities within corridors and urban centers designated in the Comprehensive Plan, to design and construct the facility to accommodate active uses at street levels. Among other goals, a transportation management plan is intended to assure efficient ingress and egress, to assure safety of users and adjacent properties, to describe mitigation for on-street and off-street parking impacts, to ensure only authorized individuals use the facility, and to encourage environmentally sustainable commuting. *VMC 20.430.040.E; Exhibit 1.* The Applicant submitted the required transportation management plan. *Exhibit 1.J.* The subject property is not within a corridor or urban center designated in the Comprehensive Plan. *Exhibit 1.*
11. The park and ride lot would be 25,358 square feet in area and provide 80 parking stalls, including 56 standard, four ADA-compliant, and 20 compact stalls. Four long-term bicycle storage lockers and short-term bicycle storage would be provided at the southwest corner of the lot. *Exhibits 1.B and 1.C.*
12. The proposed high-impact concrete lot would be used for C-TRAN bus storage. It would be constructed immediately north of the park and ride lot and would be accessed by the proposed bus ramp from NE 18th Street. The ramp driveway would include a bump-out for vehicular turnaround and a 10-foot tall double-leaf swinging gate to control access to the high-impact concrete lot. Access to the bus ramp would be limited to right turns from NE 18th Street. *Exhibits 1.B and 1.C.*
13. The proposed gate on the bus ramp would be designed consistent with the standards of VMC 20.914. The gate would be set back approximately 100 feet from the right-of-way, providing stacking space for two buses. The 30-foot width would be sufficient for emergency vehicle access. A turn-around area would be provided before the gate. Lighting would be provided at the driveway entrance and at the gate. *Exhibits 1 and 1.C.*
14. The Applicant requested a variance to allow a 10-foot tall ornamental fence around the perimeter of the park and ride facility and along a portion of the eastern property line adjacent to commercial property. The requested fence height exceeds the maximum of six feet specified in VMC 20.912.050.D by more than 20%, necessitating a Type II variance. A variance for the additional fence height was previously approved along NE 65th Avenue and NE 18th Street. *Exhibit 1.B; Ethan Spoo Testimony.*
15. Among the reasons for the variance request are the unique security needs of the C-TRAN maintenance facility, which would involve storage of high-value, publicly funded assets in a high-traffic area, and the desire to soften the appearance of the site perimeter. The need for security is throughout the site and not within a limited area behind the building setbacks, as might be expected with a typical commercial use. With a standard six-foot fence, barbed wire or razor wire would also be required to provide adequate deterrent to trespass. The Applicant submitted that a taller ornamental fence would better

complement proposed site improvements and the character of the area than a shorter fence topped with razor wire, and that the 10-foot height is the minimum needed to prevent intruders from scaling the fence. The fence is designed to meet Federal Transit Administration guidance for Crime Prevention Through Environmental Design for transit facilities by allowing visibility of the site from the street. *Exhibit 1.B; Ethan Spoo Testimony.*

16. The maximum lot coverage in the LI zone is 75%, and there is no maximum lot coverage in the CG zone (subject to compliance with buffering and other standards). The VMC defines lot coverage as “that percentage of the total lot area covered by structures.” In this case, no buildings are proposed, and the lot coverage would be substantially less than 75%. Impervious surface coverage would be 74.7%. *Exhibits 1, 1.B, and 1.C.*
17. The landscaping required for the project includes five feet of L1 landscaping adjacent to CG properties to the north and east, and 10 feet of L2 landscaping along NE 18th Street. The Applicant proposes to meet or exceed the required landscaping. The landscaping would be 20 feet wide along the east perimeter of the high-impact lot instead of the minimum of five feet. There would be at least one tree per 30 lineal feet of landscape buffer. *Exhibits 1, 1.B, and 1.C.*
18. As proposed, the park and ride lot would satisfy the parking lot landscaping standards of VMC 20.945. There would be at least one tree per 10 parking stalls, with at least one tree planted in each landscape island. Screening to a minimum height of three feet would be provided between the lot and NE 18th Street. At least 10% of the parking and maneuvering area would be landscaped. *Exhibits 1 and 1.C.*
19. The City’s tree conservation ordinance (VMC 20.770) requires a minimum tree density of 30 tree units per acre of site disturbance and requires that trees be retained where feasible. For Phase 5B, which has a site disturbance area of 2.24 acres, the minimum required tree density is 67 tree units. The Applicant proposes to remove all existing trees from Phase 5B² and plant 37 tree units of trees within landscaped areas. The City’s urban forester has recommended a condition related to tree species that would ensure no conflict with overhead powerlines. The remaining 30 units would be retained/planted within Phase 5A of the C-TRAN expansion project. Phase 5A has 30.5 excess tree units. *Exhibits 1, 1.C, 1.L, and 4.*
20. Impacts associated with perimeter lighting would be mitigated by directing the lights away from adjacent properties and by timing the lights to go off between 11:00 pm and 4:00 am. The parking lot light poles would be motion activated such that 100% light output would only occur while spaces are occupied. *Exhibit 1.B.*

² Although existing on-site trees would be removed as part of site development, there is a stand of nine trees located off-site but immediately adjacent to the east property line that would be preserved. *Exhibits 1.C and 1.K.*

21. Noise associated with use of the proposed facilities is not expected to increase significantly from existing background conditions, which background conditions include bus and passenger vehicle usage of NE 18th Street. *Exhibit 1.B.*
22. The subject property does not contain any surface water features, but potential impacts to the critical aquifer recharge area (CARA) were evaluated in a hydrogeology report.³ The conclusion of the report was that it is unlikely that groundwater would be degraded as a result of the project because it would be developed in accordance with applicable regulations and best management practices. *Exhibit 1.I.*
23. No water or sewer facilities are needed for the project. *Exhibit 1.B.* However, the Applicant proposes to extend a new water main through the site to serve a fire hydrant outside of the Phase 5B project area. *Exhibit 1; Ethan Spoo Testimony.*
24. Access to the proposed park and ride facility would be from a driveway on the west side of the lot. The driveway is within the boundary of recently approved Phase 5A, and the park and ride facility would share the driveway with the Phase 5A improvements. *Exhibits 1.C and 1.J.*
25. NE 18th Street is a collector arterial street. Existing improvements along the property frontage include a bicycle lane and an attached sidewalk. Planning Staff submitted that no additional right-of-way or pavement width is needed for the street, but that it must be re-striped to provide a two-way center left-turn lane to serve the shared driveway to the park and ride lot.⁴ In addition, the sidewalk must be moved back from the curb, and unused driveways must be restored. *Exhibit 1.*
26. The proposed park and ride driveway provides sufficient sight distance to exceed American Association of State Highway and Transportation Officials (AASHTO) standards. Whereas the minimum distance required for right-turning passenger vehicles to safely turn on to 18th Street is 335 feet, the actual available sight distance - assuming right turns only - exceeds 500 feet. *Exhibit 1.J, pages 17-18.*
27. Consistent with City driveway spacing standards, the distance between the park and ride driveway and other site accesses would exceed 75 feet. The distance between the park and ride driveway and the bus ramp would be at least 200 feet. *Exhibits 1.C and 1.J.*
28. The proposed parking lot design provides for two-way circulation within the drive aisles. An internal sidewalk connection would be provided between the lot and the bus shelter proposed for NE 18th Street. *Exhibits 1.C and 1.J.*

³ The entire City is designated as a CARA. *Exhibit 1.I.*

⁴ Of note, the conclusions of the transportation impact assessment are based on this shared driveway being restricted to right-in/right-out only access, making it unclear what benefit the center left turn lane would provide at this driveway. *Exhibit 1.J, pages 7 and 18.* However, the Applicant did not object to the recommended condition. *Ethan Spoo Testimony.* A condition has been added that would require the City to reconsider the advisability of a left turn pocket serving this driveway. See the third bullet of condition 19.

29. The parking spaces and drive aisles within the park and ride lot would satisfy the dimensional standards of VMC Table 20.945.040. *Exhibits 1 and 1.C.*
30. The trip generation of the development was estimated using the rate contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition* for Land Use Code 90 (Park and Ride lot with bus or light rail service). The project is expected to generate 84 vehicle trips per day, including 45 AM peak hour trips and 39 PM peak hour trips. *Exhibit 1.J.*
31. The Applicant's transportation impact study and management plan evaluated the project's traffic impact on five intersections in the vicinity, including NE 18th Street/65th Avenue, NE 18th Street/Devine Road, NE 18th Street/Andresen Road, NE 18th Street/Burton Road, and NE 25th Street/Andresen Road. The conclusion of the study was that the project's traffic would not cause any intersection to fall below the City's adopted level of service (LOS) or volume to capacity ratio standards. *Exhibit 1.J; Ethan Spoo Testimony.*
32. None of the studied intersections in the vicinity of the subject property have unusually high crash rates; all have crash rates substantially less than one per million entering vehicles (MEV). *Exhibit 1.J.*
33. Pursuant to VMC 11.70.090, the segment of Andresen Road between Mill Plain Boulevard and SR-500 is designated as a Category 1 Concurrency Corridor, which stipulates that the corridor is operating at or above the City's adopted level of service standards. The number of PM peak hour trips generated by this proposed development is not anticipated to cause the corridor to drop below the adopted level of service standard. *Exhibit 1.*
34. The subject property is located within the #174 transportation analysis zone. The project would add PM peak hour trips to three transportation management zones, including the Andresen Road corridor and two Fourth Plain Boulevard corridors. Based on the trips added to the corridors, the Applicant would be required to pay concurrency modeling fees of \$528. *Exhibit 1.*
35. The project would add trips to two intersections (MacArthur Boulevard/Andresen Road roundabout and MacArthur Boulevard/Devine Road roundabout) with proportionate share projects. The Applicant's required proportionate share contribution to the projects is \$20,388. In addition, the Applicant would be required to pay traffic impact fees pursuant to VMC 20.915. *Exhibit 1.*
36. Stormwater runoff from the park and ride lot and bus ramp would be conveyed to a bioretention pond at the southeast corner of the site for treatment and infiltration. Stormwater runoff from the high-impact concrete lot would be conveyed to a media cartridge filter for treatment, then conveyed through an underground chamber detention system and infiltrated on site. The soils on site are suitable for infiltration. *Exhibits 1.B, 1.C, and 1.H.*

37. An archaeological predetermination report was prepared for the project pursuant to VMC 20.710.070. The conclusion of the report was that an archaeological survey is not required. However, Planning Staff recommended a stop work/notification condition of approval to address unanticipated discovery of archaeological deposits during construction, consistent with VMC Chapter 20.710. *Exhibits 1 and 1.B.*
38. Pursuant to the State Environmental Policy Act (SEPA), the City of Vancouver acted as lead agency for review of environmental impacts caused by the proposal. After reviewing the Applicant's environmental checklist and application materials, the SEPA Responsible Official issued a notice of application, remote public hearing, and optional SEPA determination of non-significance (DNS) on August 23, 2023. *Exhibits 1, 1.D, and 1.G.* No public comment was submitted prior to hearing or through the virtual public hearing process.
39. Planning Staff recommended approval of the CUP, site plan, and variance, subject to the conditions outlined in the Staff Report, with revisions as set forth in post-hearing correspondence. *Exhibits 1, 3, and 4.* The Applicant concurred with the revised conditions. *Exhibit 5.*

CONCLUSIONS

Jurisdiction:

The Hearing Examiner has jurisdiction to conduct an open record hearing and decide applications for conditional use permits – a Type III procedure - pursuant to Vancouver Municipal Code 20.210.060 and 20.210.020-1. The Hearing Examiner has jurisdiction to hear and decide Type II variances and Type II site plan reviews pursuant to VMC 20.210.020.D, which specifies that when more than one permit is required for a given proposal, all applications are consolidated into a single review subject to the highest type of procedure that applies to any of the applications.

Conditional Use Criteria for Review:

Pursuant to VMC 20.245.040.A, the Hearing Examiner shall approve, approve with conditions, or deny an application for a conditional use based on findings of fact with respect to each of the following criteria:

1. The site size and dimensions provide adequate area for the needs of the proposed use;
2. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features;
3. All required public facilities have adequate capacity to serve the proposed development;
4. The applicable requirements of the zoning district, and other applicable documents are met except as amended by the conditional use permit or variances requested pursuant to Chapter 20.290 VMC; and

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

Variance Criteria for Review:

Pursuant to VMC 20.290.040.B, the applicant for a Type II Variance (i.e., a variance exceeding 20% of the standard) must demonstrate compliance with the following criteria:

1. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district;
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant such as is possessed by the owners of other properties in the same vicinity or district;
3. The variance requested is the least necessary to relieve the unusual circumstances or conditions identified in Subsection (1) above;
4. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located;
5. Any impacts resulting from the variance are mitigated to the extent practicable; and
6. If more than one variance is being requested, the cumulative effect of the variances results in a project that is still consistent with the overall purpose of the underlying zoning district.

Site Plan Criteria for Review:

Pursuant to VMC 20.270.050 Site Plan Approval Criteria, a site plan shall be approved when the following criteria are satisfied:

- A. Compliance with applicable standards. The proposed development shall comply with all applicable design and development standards contained in this Title and other applicable regulations.
- B. Adequacy of public facilities. The applicant shall demonstrate availability of adequate public services, e.g., roads, sanitary and storm sewer, and water, available to serve the site at the time development is to occur, unless otherwise provided for by the applicable regulations.

Conclusions Based on Findings:

1. As conditioned, the criteria for approval of a conditional use permit - required for the high-impact lot and bus ramp portions of the project - are satisfied.
 - a. The site size and dimensions are adequate for the use, as evidenced by the project's compliance with applicable landscaping, lot coverage, driveway spacing, emergency access, and vehicle stacking requirements. *Findings 4, 12, 13, 16, 17, 19, and 27.*
 - b. With conditions, the impacts of the proposed use can be accommodated considering size, shape, location, topography, and natural features. No natural features that would prevent the development as proposed have been identified. The bus storage would be

- compatible with the existing use of the C-TRAN site and should not result in new noise impacts. Potential impacts to adjacent commercial properties were considered in the lighting design. The landscape buffer between the high-impact lot and adjacent commercial properties would exceed ordinance requirements. The western portion of the high-impact lot would be within a zone in which such facilities are allowed outright. *Findings 3, 4, 5, 6, 9, 12, 17, 20, 21, and 22.*
- c. Existing public facilities have capacity to serve the project. The proposed use does not require water or sewer service. *Finding 23.*
 - d. As conditioned, and with approval of the fence height variance, the proposal satisfies applicable development regulations. The project would provide required landscape buffers along the northern, eastern, and southern property lines. No buildings are proposed in conjunction with the high-impact lot and bus ramp. The gate on the bus ramp would comply with the standards of VMC 20.914. *Findings 12, 13, 14, 16, and 17.*
 - e. As conditioned, identified impacts have been adequately mitigated. The lighting design would minimize impacts to adjacent commercial properties. The proposed landscape buffers would meet or exceed ordinance requirements. Due to the existing use of the site and the presence of buses on NE 18th Street, no new traffic impacts have been identified with respect to the high-impact lot and bus ramp. The project would pay general traffic impact fees and would contribute proportionate share fees to affected intersection projects. The bus ramp gate would be set back from the right-of-way sufficiently to allow two buses to wait without blocking traffic. Stormwater would be treated and infiltrated on site. The conditions of approval address protection of archaeological resources during construction. The project was reviewed pursuant to SEPA, and a DNS was issued. *Findings 3, 4, 12, 13, 17, 20, 21, 22, 36, 37, and 38.*
2. As conditioned and with approval of the variance, the criteria for site plan approval are satisfied.
 - a. With the ultimate approval of the requested variance, the project would comply with applicable development standards. The park and ride facility would comply with drive aisle and parking stall dimensional standards and parking lot landscaping standards. The surface lot style of the park and ride lot would be compatible with surrounding land uses, including the existing uses of the site. No parking structure is proposed. The site design encourages environmentally sustainable commuting by providing bus storage and park and ride parking, and as conditioned, would provide for efficient and safe ingress and egress. The gate on the bus ramp would comply with the standards of VMC 20.914. Tree density and landscape buffering requirements would be satisfied. The conditions of approval address street improvement requirements. *Findings 3, 4, 5, 10, 11, 12, 13, 14, 16, 17, 18, 19, 24, 25, 26, 27, 28, 29, 32, and 36.*

- b. The Applicant has demonstrated adequacy of public facilities, including capacity within the surrounding street system. Proportionate share fees and traffic impact fees would be paid. *Findings 23, 30, 31, 33, 34, and 35.*
3. The criteria for a variance are satisfied.
 - a. Unusual circumstances apply to the intended use of the property that do not apply generally to other properties in the vicinity. *Finding 15.*
 - b. Approval of the variance is needed for the preservation of a substantial property right, namely adequate property security. *Finding 15.*
 - c. Because no razor wire or similar would be provided at the top of the fence, the 10-foot height is the minimum needed to provide relief. *Finding 15.*
 - d. Granting the variance would not be detrimental to the public welfare because it would allow for a more aesthetically pleasing fence design that would be consistent with fencing previously approved elsewhere on the site. *Findings 14 and 15.*
 - e. No adverse impacts have been identified. The fence design would allow for visibility into the property. *Finding 15.*
 - f. Only one variance was requested. *Finding 14.*

DECISIONS

Based on the preceding findings and conclusions, the requested conditional use permit, site plan approval, and variance for the C-TRAN Phase B development are **GRANTED** subject to the following conditions:

Prior to Civil Plan Approval

1. Upload the civil plan review set showing all the revisions requested as well as all necessary reports (geotechnical, hydrology, traffic analysis, road modification, etc.). Include a detailed site plan in the civil plan review set. For questions on these requirements please contact 360-487-7804.
2. Grading plan review fees will be due upon submittal of civil plans for review. Contact Permit Center staff at 360-487-7802 to obtain a fee quote.
3. Place a note on the grading sheet that if any cultural or historical resources are discovered during construction activity, construction shall cease until a qualified archaeologist assesses the find.
4. Recalculate lot coverage to reflect the definition found in the Vancouver Municipal Code.

5. Ensure all plans and documents accurately depict the intended gate height.
6. Revise the scale on the Striping Details page to scale accurately.
7. Show Douglas firs and Deodar cedars along the eastern property line. Show two (2) Persian Ironwood or Amur Maackia along the eastern property line where the overhead powerlines cross due to the overhead powerline conflict.
8. Show tree protection around existing trees to remain on Grading Plan. Erosion control shall go around, not through tree protection along property lines.
9. Landscape islands are required for shade trees, add one shade tree to all landscape islands. If lights or fire hydrants are proposed within landscape island, enlarge landscape island to accommodate other elements.
10. The Applicant shall pay transportation concurrency modeling fees totaling \$528.
11. The Applicant shall pay proportionate transportation share fees totaling \$20,388.
12. Show un-used sewer service laterals to be abandoned and the sewer easement access road improvements on the plans, in accordance with the City of Vancouver's General Requirements and Details for the Design and Construction of Public Sanitary Sewers. Address redline comments and submit the final design for civil plan approval.
13. Submit a Construction Stormwater Pollution Prevention Plan (SWPPP).
14. Submit a copy of the NPDES construction permit.
15. An easement in the form of a covenant running with the land shall be dedicated to the City of Vancouver around the stormwater facilities for access and inspection.
16. An approved fire response plan shall be included in both the civil plans and the architectural plans.

During Construction

17. Comply with the requirements indicated in the Department of Ecology letter dated September 21, 2023.

Prior to Issuance of any Building/Development Permits

18. A certificate from a licensed landscape architect shall be provided verifying that landscaping indicated on the final landscape plan has been installed.

Prior to Issuance of Occupancy Approval

19. The Applicant shall provide the following improvements to E 18th Street, per City of Vancouver standards:

- Remove the existing curb-tight attached sidewalk, protecting the existing curb and gutter in place. Construct a six-foot detached sidewalk. Dedicate appropriate public pedestrian easement(s) if/as necessary to accommodate the sidewalk.
 - Abandon and remove any unused driveways. At a minimum, driveway removals shall include pavement restoration, and installation of curb, gutter, planter strip and sidewalk, and any necessary street improvements related to the site street frontage classification and applicable Standard Details.
 - If, following re-review by City Transportation Division Staff of the traffic impact analysis (specifically at pages 7 and 18) assertion that the shared driveway would be restricted to right-in/right-out turning movements only, the City still believes the left turn lane is required to meet City standards and is consistent with public safety, the Applicant shall modify the existing striping of E 18th Street to provide a two-way center left-turn lane to serve the shared driveway to the park and ride lot. This will require a complete restriping of the south half of the street at this location; eliminating the existing south parking lane to create space for the required center turn lane. The designers must work with city staff prior to submittal of final engineer drawings to make sure the design of this restriping work is done correctly.
 - Construct a bus turnout.
 - Construct a new driveway approach to serve the proposed bus ramp entrance-only access.
 - Street lighting must be installed or updated to current standards.
 - Utility trenching shall be restored per T05-04A&B and T05-06A&B (CDF). Asphalt restoration shall meet T05-01B and T05-07. A single continuous width restoration is required.
 - Install traffic control devices as warranted and storm drainage as required by the city stormwater ordinance.
20. During the entire scope of the project, if at any time the proposal is out of compliance with the off-site impact regulations of VMC 20.935, the property owner must make revisions to bring the site into compliance.

Decided December 11, 2023.

By:



Sharon A. Rice
City of Vancouver Hearing Examiner

Note:

The hearing examiner's decision may be appealed to the Vancouver City Council within 14 calendar days after the date the examiner's decision is distributed. Appeals must be made in writing and be received within this time period. The letter of appeal shall state the case number designated by the city and the name of the applicant, name and signature of each petitioner, a statement showing that each petitioner is entitled to file the appeal under VMC Chapter 20.210.130.B, the specific aspect(s) of the decision being appealed, the reasons each aspect is in error as a matter of fact or law, and the evidence relied upon to prove the error (VMC 20.210.130.A). A fee of \$2,286.00 must accompany the appeal. Due to the limited days the permit center is open for walk-in assistance, the appeal request shall be emailed to eplans@cityofvancouver.us as well as to the case manager's e-mail address below and the appeal fee electronically paid to the City of Vancouver. For questions or additional information, you may contact the case manager by telephone at 360-487-7893, or by e-mail at anthony.tortorici@cityofvancouver.us.