

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

In the Matter of the Application of)	NO. PRJ-169176/LUP-84936
)	
)	Lithia Auto Dealership at
Landing at Vancouver, LLC)	The Landing at Vancouver
)	
)	
For Site Plan Approval and a)	Post-Hearing Schedule and
Conditional Use Permit)	Order Reopening Record for
)	Limited Additional Information

The above-captioned hearing was conducted on June 17, 2025, as advertised. At hearing, in addition to the requested conditional use permit and site plan review, City Planner Keith Jones submitted a request for approval of an additional Type III land use application, which had been timely applied for by the Applicant, but which was inadvertently left out of both the Notice of Application and Public Hearing and of the Staff Report provided by the Planning Department. Mr. Jones' request was formally stated in a memorandum dated June 17, 2025 admitted as Exhibit 2.

In short, the requested Master Plan Amendment discussed in the memorandum is necessary because the method of calculating required parking spaces for the proposed auto dealership used in the instant proceedings differed from the parking calculation method employed in The Landing at Vancouver Master Plan Amendment, file numbers PRJ-169176/LUP-84272, approved October 7, 2024. As stated in Exhibit 2, and as corroborated by Applicant witness testimony, in the 2024 Master Plan Amendment, 101 parking stalls were assigned to Lot 5 based on a conservative reading of the code requirements for parking calculations based on the full (or nearly the full) square footage of the proposed structure, even though much of the floor area of the structure would be used to park inventory vehicles for sale. At the time the instant CUP and Site Plan Review approvals were formally submitted, the City and Applicant discussed and implemented revised parking calculations that excluded the area where inventory vehicles would be parked, resulting in a requirement for only 40 parking spaces rather than the 101 stated in the 2024 Master Plan Amendment. As proposed, the project would provide 46 parking stalls for employees and customers. The change from 101 to 46 parking stalls is greater than a 10% change.

Pursuant to VMC 20.260.030.B(3)(c)(3), a reduction of parking within an approved Master Plan by more than 10% requires a Type III master plan modification. Type III applications require Notice of Application and Hearing consistent with VMC 20.21.0.060.E and .F, which establish a 30-day comment period. Notice of the Type III Master Plan Amendment was not provided by the City.¹

In the Exhibit 2 memorandum, Planning Staff provided the criteria for Master Plan Amendment and a statement that the proposed reduction in parking complies with the criteria and does not

¹ The Notice of Application and Public Hearing in the hearing record at Exhibit 1.E only advised of a comment period on applications for CUP and site plan review.

result in adverse impacts, and submitted Staff's determination that the current proposal is consistent with the approved Master Plan. Regarding the City's procedural oversight (omitting the required Master Plan Amendment from Notice of Application and Hearing), Planning Staff submitted, and the Applicant concurred, that the reduction in proposed parking has no practical impact on any person, because only the parking calculation method changed. Applicant witnesses testified that the actual number of parking spaces on the plans was not changed as a result of the change in parking calculation method. Planning Staff further noted that there was no public comment on the Notice of Application and Public Hearing for the auto dealership CUP and Site Plan Review. City Staff requested that no further public notice be required to be provided.

At hearing, the only public comment submitted was from a representative of The Landing at Vancouver who spoke on behalf of the property owners within the Master Plan in support of not requiring additional public notice of the requested minor amendment to the parking totals in the approved Master Plan.

Due to the unusual nature of the procedural request, the City's Hearing Examiner decided to take the request under advisement and indicated that a decision whether or not to require full notice of the master plan amendment would issue the next day, together with a final post-hearing schedule.

In reviewing the record in light of this procedural request the next day, the undersigned has determined that there is no actual prejudice to any party in granting the procedural request of the City; however, because the focus at hearing was on the procedural question, review of the record today reveals that it is light on relevant details as to specifics of the parking proposed. Consistent with Hearing Examiner Rule of Procedure 1.17.A, additional information is needed to complete the record.²

Therefore, the following post-hearing schedule is adopted, which reopens the record for minor additional information from the Applicant.

ORDER:

1. In order to complete the record, the Applicant is requested to submit information addressing the following questions not later than June 25, 2025. The information may be in the form of a memo and may include graphics depicting the locations of parking stalls intended to serve various purposes.
 - a. Please provide the total square footage of the building's area upon which the 40 space parking calculation is based (and in response to which calculation the project proposes 46 parking stalls)?
 - b. Please confirm or correct the Examiner's understanding that the proposed 46 stalls are for employees and customers of the auto dealership.

² 1.17 CONTINUATION OR REOPENING OF HEARING. A) Cause. The Examiner may continue or reopen proceedings on his or her own motion or the motion of a party for good cause by entering an order prior to the filing of the Examiner's recommendation or decision.

- c. Where are the 46 stalls proposed to be located on the parcel?
 - d. How many parking stalls are proposed for inventory vehicles?
 - e. Of the 91 parking stalls shown outside the building on plan Sheet P3.0, how many and which ones are for sales inventory vehicles?
 - f. What is the accurate number of total parking spaces proposed on Lot 5 including inventory parking spaces?
2. In addition, the record is held open through June 25, 2025 for post-hearing public comment from the following categories of people:
- a. Members of the public who had technology problems that prevented their participation in the June 17, 2025 virtual hearing; and
 - b. Persons desiring to comment on the reduction in parking in the proposal as compared to the number of stalls called out in the approved 2024 Master Plan Amendment.
3. If no post-hearing comment is received, the record will close on June 25, 2025, and the 10-business day decision deadline will be July 10, 2025.
4. If post-hearing comment is received from the identified categories of people by June 25, 2025, Planning Staff and Applicant representatives shall submit written responses to such post-hearing comment not later than June 27, 2025. In this case, the record will close June 27, 2025, and the 10-business day decision deadline will be July 14, 2025.
5. This Post-Hearing Schedule and Order Reopening Record shall be distributed to all parties of record and shall be posted on the City's website, if possible, to apprise the public of the comment opportunity and expected decision dates. It will be included in the record in the final decision.

Ordered June 18, 2025 by



Sharon A. Rice
Vancouver Hearing Examiner