

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

In the Matter of the Application of	)	No. PRJ-169851/LUP-85208
	)	
	)	
<b>Haven Treatment Center</b>	)	
	)	
	)	
For a	)	FINDINGS, CONCLUSIONS,
Conditional Use Permit	)	AND DECISION
_____	)	

**SUMMARY OF DECISION**

The request for a conditional use permit to convert 280 square feet of the group living facility use at 2805 E. 19th Street into an outpatient treatment facility use is **GRANTED** subject to conditions.

**SUMMARY OF RECORD**

**Request:**

Haven Treatment Center (Applicant) requested a conditional use permit (CUP) to convert 280 square feet of an approved group living facility into an outpatient treatment facility that would provide mental health services for children. The subject property is located at 2805 E. 19th Street in Vancouver, Washington.

**Hearing:**

The City of Vancouver Hearing Examiner conducted a virtual record hearing on the request on November 18, 2025. The record was held open through November 20, 2025 to allow any members of the public having difficulty accessing the virtual hearing to submit written comments, with time scheduled for responses by the parties. No post-hearing public comment was received, and the record closed on November 20, 2025. No in-person site visit was conducted, but the Examiner viewed the subject property and surroundings on Google Maps.

On December 8, 2025, the Hearing Examiner re-opened the record for clarification of certain evidence previously submitted. The information requested was timely submitted, and the record closed on December 16, 2025.

**Testimony:**

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

Mark Person, Senior Planner, City of Vancouver

Margie Barilla, CEO, Haven Treatment Center

**Exhibits:**

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

1. Staff Report, dated November 4, 2025
  - A. Application
  - B. Applicant Narrative, dated July 24, 2025
  - C. Development Plans
  - D. Trip Generation Report, Kelly Engineering, dated August 13, 2025
  - E. Traffic Impact Analysis (TIA) Summary, dated October 9, 2025
  - F. Pre-application Waiver Application
  - G. Grand Avenue Apartments Staff Report and Decision, dated July 17, 2019
  - H. Mullen-Polk Post-Decision Review Staff Report and Decision, dated September 15, 2021
2. City PowerPoint Presentation
3. Notice of Application and Remote Public Hearing, with mailing list
4. Email confirmation for posting and publication of hearing notice
5. Hearing Examiner's Order Reopening Record, issued December 8, 2025
6. Applicant response to Order Reopening Record, submitted December 11, 2025
7. City response to Order Reopening Record, submitted December 11, 2025
8. Applicant final response to Order Reopening Record, submitted December 16, 2025

Based on the record developed through the open record hearing process, the Hearing Examiner enters the following findings and conclusions.

**FINDINGS**

1. Haven Treatment Center (Applicant) requested a CUP to convert 280 square feet of an approved group living facility into an outpatient treatment facility that would provide mental health services for children. The subject property is located at 2805 E. 19th Street, in Vancouver, Washington.<sup>1</sup> *Exhibits 1, 1.A, 1.B, and 1.C.*
2. The CUP application was submitted on July 24, 2025 and determined to be complete on August 28, 2025. *Exhibits 1 and 2.*

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<sup>1</sup> The staff report provides the following legal description of the subject property: "located within the NE 1/4 of Section 26 and the NW 1/4 of Section 25, Township 2N, Range 1E of the Willamette Meridian." It is also known as Tax Parcels 35308000 and 35265000. *Exhibit 1.*

3. The subject property is 0.87 acres in area and is developed with a building approved for use as a group living facility and associated parking. The subject property was previously approved for development of 18 multifamily dwelling units (nine units in each of two buildings). In 2021, the City approved, through a Type II process, the conversion of the northern building into a 30-bed group living facility. At the same time, the City granted an administrative variance from the applicable parking standard. The southern building was designated as future Phase 2 development. The Phase 2 building has not been constructed, and the City considers the site plan approval for that building to now be expired. *Exhibits 1, 1.C, 1.G, 1.H, and 7; Mark Person Testimony; Google Maps site view.*
4. The proposed outpatient services would occur between the hours of 8:30 am and 12:30 pm, Monday through Friday. The four-hour period would coincide with a staff shift of eight employees, and it is expected that 12 patients would be served on-site during that time frame. Because the outpatient service recipients would be between five and 11 years old, they would be dropped off by a parent or guardian. The drivers are not expected to wait at the site during treatment. Older children would receive virtual services and would not attend the site in person. *Exhibits 1.B, 1.D, and 6; Margie Barilla Testimony.*
5. The 280 square feet used for outpatient services would be taken from an area designated for dining and recreation on the main floor.<sup>2</sup> The use of the space for outpatient services would not affect programming associated with the group living use. *Exhibit 1.C; Margie Barilla Testimony.*
6. The subject property is zoned R-18. Medical centers (a use that includes outpatient treatment) are allowed in the R-18 zone with approval of a CUP. *Exhibit 1; Vancouver Municipal Code (VMC) 20.420.030.*
7. Adjacent properties to the east and south are zoned R-18 and developed with multifamily residential uses. The properties to the north across E. 19th Street are developed with single-family residences. The properties to the west across Grand Boulevard are zoned R-22 and developed with single- and multifamily residences. *Exhibits 1 and 2; Google Maps site view.*
8. No exterior modification of the existing building is required to establish the proposed outpatient treatment use. The building conforms to required development standards. *Exhibits 1 and 1.B.*
9. Access to the subject property is from E. 19th Street. No change in access is proposed or required. The street frontages are already constructed consistent with City requirements, including sidewalks. *Exhibit 1; Google Maps site view.*

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<sup>2</sup> Note, there are also areas designated for dining and recreation on the second and third floors. *Exhibit 1.C.*

10. Pursuant to VMC 20.945.070, the group living land use requires one parking space per seven residents under age 12, and one space per resident age 12 and over. At the time the group living use was approved, it was assumed that all residents would be over age 12, thus resulting in a calculated parking requirement of 30 spaces for 30 beds. Because none of the residents would be allowed to have vehicles, the City granted a variance that reduced the parking requirement for the group living facility to 15 parking stalls, an amount that would be adequate to accommodate expected staffing levels at maximum shift. Fourteen additional parking spaces were also required for the now-expired Phase 2 multifamily residential building, for a total parking requirement of 29 spaces for the site. *Exhibits 1, 1.H, and 7.*
11. Since the 2021 approval, there have been changes to the group living land use that reduce the parking demand. First, the facility would have 24 beds, not 30 beds. Second, the age distribution of the children residing on-site is expected to be different than originally contemplated. Sixteen of the beds would be for children under age 12, and eight of the beds would be for children ages 12 and over. Applying this age distribution to the parking standard, the requirement would be 11 parking spaces (three for those under age 12, and eight for those over age 12). *Exhibits 6 and 7.*
12. Based on the parking requirement for medical offices (one space per 200 square feet), the 280 square feet of outpatient treatment space would require two parking spaces. *Exhibit 1.* When added to the parking required for the group living use, the total parking requirement under City standards is 13 parking spaces.<sup>3</sup> There are currently 26 parking spaces on-site. *Exhibit 6.*
13. Based on the rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition) and taking into account the limited hours of operation proposed, the use is expected to generate six vehicle trips (i.e., one-directional vehicle movements) per weekday, none of which would occur during a peak hour. *Exhibit 1.D.*
14. Because the change in use would not add any PM peak hour trips to the local street system, the concurrency requirements of VMC 11.70 do not apply to the use. *Exhibit 1; VMC 11.70.020.B.*
15. The project is subject to payment of transportation impact fees pursuant to VMC 20.915, which would be calculated at the time of the tenant improvement building permit application. Based on the fee schedule currently in effect, the estimated fee amount is \$1,259.70. *Exhibits 1 and 1.E.*
16. The change in use would not affect the provision of water or sewer to the site or stormwater management requirements. *Exhibit 1.*

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<sup>3</sup> In Exhibit 7, the City suggested that the total parking requirement would be 14 spaces, but it appears that the calculation overstated the parking required for the outpatient therapy use by using a rate of one space per 100 square feet instead of one space per 200 square feet. *Exhibit 7.*

17. The proposal is categorically exempt from review pursuant to the State Environmental Policy Act. *Exhibit 1; VMC 20.790.840.*
18. Notice of the application and public hearing was issued on September 16, 2025. The notice was mailed to surrounding property owners, posted on-site, and published in The Columbian. *Exhibits 3 and 4.*
19. The City received no public comment prior to or during the open record public hearing. Having heard all testimony, Planning Staff maintained their recommendation for approval subject to the conditions in the staff report. *Exhibit 1; Mark Person Testimony.* The Applicant waived objection to the recommended conditions. *Margie Barilla Testimony.*

## **CONCLUSIONS**

### **Jurisdiction:**

The Hearing Examiner has jurisdiction to conduct an open record hearing and decide applications for conditional use permits - a Type III land use permit - pursuant to VMC 20.210.060 and VMC 20.210.020-1.

### **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.

### **Conclusions Based on Findings:**

1. The site size and dimensions would provide adequate area for the needs of the proposed use. The use would occupy a small portion of an existing building. No exterior modifications are required for the use. The existing parking lot contains enough parking spaces for the expected number of staff and clients during outpatient therapy hours. *Findings 3, 5, 8, 9, and 12.*
2. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography, and natural features. The use would be housed in an

existing building. No changes to the site are proposed or required for the use. The existing parking lot contains enough parking spaces for the expected number of staff and clients during outpatient therapy hours. *Findings 3, 4, 5, 8, 9, and 12.*

3. All required public facilities have adequate capacity to serve the proposed development. *Finding 16.*
4. As conditioned, the applicable zoning requirements would be satisfied. Because the Applicant no longer needs to allocate parking to the Phase 2 building, the group living use would have fewer beds than originally planned, and the age distribution of residents would be different than originally planned, the existing parking on-site exceeds the amount required to satisfy zoning code standards. The conditions of approval require parking to be reassessed if the use of the group living facility changes. *Findings 3, 8, 10, 11, 12, and 19.*
5. As conditioned, identified impacts on adjacent properties, surrounding uses, and public facilities have been adequately mitigated. Traffic impact fees would be paid. No other specific impacts were identified during the review process. The conditions of approval require compliance with the standards of VMC 20.935, which address noise, light, and glare. *Findings 12, 13, 14, 15, and 19.*

### DECISION

Based on the preceding findings and conclusions, the request for a conditional use permit to convert 280 square feet of the group living facility use at 2805 E. 19th Street into an outpatient youth mental health treatment facility use is **GRANTED** subject to the following conditions.

Prior to Issuance of Building Permits, the Applicant shall:

1. Pay all applicable fees, including impact fees.

On-Going:

2. 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.
3. Parking shall be made available for the use it serves at time of occupancy and shall not be used for storage of vehicles or materials.
4. If the use of the group living facilities changes in the future, parking shall be reassessed at that time.

**Decided** December 22, 2025.



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Sharon A. Rice  
Vancouver Hearing Examiner