



proud past, promising future

CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING

STAFF REPORT

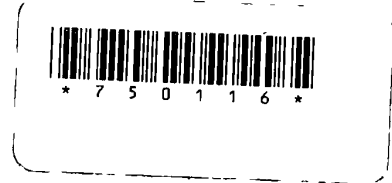
TO: Clark County Planning Commission

FROM: Oliver Orjiako, Director

PREPARED BY: Jose Alvarez

DATE: May 24, 2013

SUBJECT: CPZ2013-00010 NE 99th St /SJO



PROPOSED ACTION:

The applicant is requesting to amend the Comprehensive Plan designation and zoning from a Mixed Use comprehensive plan designation with MX zoning, to Urban Low-Density (UL) and Urban Medium-Density (UM) plan designations with, respectively, R 1-7.5 and R-18 zoning

BACKGROUND:

The applicant is requesting to amend the Comprehensive Plan designation and zoning for four parcels. The change would be from a Mixed Use comprehensive plan designation with MX zoning, to Urban Low-Density (UL) and Urban Medium-Density (UM) plan designations with, respectively, R 1-7.5 and R-18 zoning. The subject site is 88.5 acres and is located north of 99th Street between NE 130th and NE 138th Avenues

The site was added to the Urban Growth Boundary through the 2007 Comprehensive Plan update at the request of the then property owner for Mixed Use comprehensive plan and MX zoning. The site is near the edge of the UGB and has several retail commercial centers in close proximity in addition to a Business Park development along NE 117th Ave. The development requirements for the MX zone to be split 80/20 between residential, commercial or employment. In this case it would require approximately 17 acres to be devoted to non-residential uses. The applicant's market analysis indicates there is currently insufficient demand for that amount of commercial. The site is currently vacant

GENERAL INFORMATION:

Parcel Numbers 200372000, 200373000, 200306000, 200312000

Location NE 99th St between NE 130th and NE 138th Ave

Area 88.58 acres

Owner SJO LO 90 B LLC

Existing land use:

Site Vacant

North Vacant, residential zoned R1-5

South Developed Single Family homes zoned R1-6 and R1-10

East Single Family homes zoned R1-5 and R1-10

West Single family homes zoned R1-6

SUMMARY OF COMMENTS RECEIVED

No comments have been received to date

APPLICABLE CRITERIA, EVALUATION OF REQUEST AND FINDINGS

In order to comply with the Plan Amendment Procedures in the Clark County Unified Development Code (CCC 40 560 010), requests to amend the Comprehensive Plan land use map must meet all of the criteria in Section G, Criteria for all Map Changes. Requests to amend the zoning map must meet similar criteria (CCC 40 560 020H). For clarity, Criteria A-E in the following staff report summarizes all of the applicable criteria required for both plan and zoning map amendments.

CRITERIA FOR ALL MAP CHANGES

- A. The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act (GMA) and requirements, the countywide planning policies, the Community Framework Plan, Clark County 20-Year Comprehensive Plan, and other related plans. (See CCC 40.560.010G(1) and 40.560.020H(2).)***

Growth Management Act (GMA) Goals. The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The most pertinent GMA goals that apply to this proposal are Goal 1, Goal 2, Goal 3, and Goal 4.

- (1) Urban growth Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner*
- (2) Reduce Sprawl Reduce the inappropriate conversion of underdeveloped land into sprawling, low density development*
- (3) Transportation Encourage efficient, multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans*

- (4) *Housing Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock*

Finding The proposed amendment is consistent with State GMA Goals 1, 2, 3, and 4 The proposal would allow the equivalent level of density as the current designation (Goal 2) The change to remove the MU designation and MX zone will allow a variety of residential uses and densities (Goal 4) The re-designation of this land for intensive residential uses is consistent with the type and intensity of uses expected in the Vancouver Urban Growth Area (Goal 1) The proposed amendment to the comprehensive plan map would result in a decrease in trips (Goal 3)

Community Framework Plan and Countywide Planning Policies. The Community Framework Plan encourages growth in centers, urban and rural, with each center separate and distinct from the others. The centers are oriented and developed around neighborhoods to allow residents to easily move through and to feel comfortable within areas that create a distinct sense of place and community

Policies applicable to this proposal include the following

- 2.1 0 Communities, urban and rural, should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries and to ensure an adequate supply of affordable and attainable housing
- 2.1 2 Provide housing opportunities close to employment opportunities
- 2.1.8 Housing strategies are to be coordinated with availability of public facilities and services, including human services.

Finding. The proposal would provide for a variety of housing types, including multi-family and single family There is a nearby business park that may provide employment opportunities

1.1 2 Urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in Clark County for the succeeding 20-year period.

1.1 3 Urban growth shall be located primarily in areas already characterized by urban growth that have existing public facility and service capacities to adequately serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services that are provided by either public or private sources Urban governmental services shall be provided in urban areas These services may also be provided in rural areas, but only at levels appropriate to serve rural development.

2.1.3 Link transportation and housing strategies to assure reasonable access to multi-modal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation

2.1.4 Link housing strategies with the locations of work sites and jobs

2.1.5 Link housing strategies with the availability of public facilities and public services.

Finding: The subject site is within the Vancouver UGA and located in an area of existing urban development surrounded by residentially zoned and developed land. The proposal is consistent with the County's density goals.

Clark County 20 Year Comprehensive Plan. The Clark County Comprehensive Plan contains many policies that guide urban form and efficient land use patterns. The most relevant goals and policies applicable to this application are as follows.

Policy 1.3.1 Urban densities and uses may occur throughout the urban growth area if it is provided with adequate services. Development and redevelopment in the UGA should be strongly encouraged to occur in greater intensity in major centers, transit routes and other areas characterized by both existing higher density urban development and existing urban services. Development and redevelopment should be encouraged to occur with less intensity in areas where urban development is of lower density or has not yet occurred, or in areas where urban services do not yet exist.

1.4.3 Promote the development of identifiable residential neighborhoods and shopping districts through the encouragement of more compact development patterns, and the use of shared design and landscaping characteristics and the development of landmarks.

1.4.7 Higher intensity uses should be located on or near streets served by transit.

1.4.8 Streets, pedestrian paths and bike paths should contribute to a system of fully connected routes to all destinations.

1.4.9 Access to the transit system should be provided.

Finding: The re-designation of this land for more varied residential uses is consistent with the type and intensity of uses expected in the Vancouver Urban Growth Area. The location of multi-family housing proposed along NE 99th St, a major transit route for C-Tran is also a benefit. Staff is proposing that a small amount of land be rezoned for neighborhood commercial use along NE 99th St.

Vancouver Urban Growth Area

Policy 1 2 9 Concentrate development in areas already served by public facilities and services Use the provision or planned provision of public services and facilities as a means of directing development into desirable areas

Finding The applicants have stated that public water and sewer are available to serve the site City of Vancouver provides water service and Clark Regional Wastewater provides sewer service As discussed earlier in this report, the county's transportation impact analysis shows a decrease in trips as a result of this request and is not anticipated to impact the transportation system

Chapter 5 Transportation Element

Finding Please refer to Transportation Impact Analysis, where transportation goals and policies are addressed

Conclusion: Approving the proposal to a mix of single family and multi-family residential located along NE 99th St with a recommendation of neighborhood commercial along NE 99th St within the City of Vancouver Urban Growth Area satisfies the pertinent policies in the GMA and the Comprehensive Plan Criteria A is met

B. The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the Clark County Comprehensive Plan and the purpose statement of the zoning district. (See CCC 40.560.010G(2) and CCC 40.560.020H(2).)

Urban Low

This designation provides for predominantly single-family residential development with densities of between five and ten units per gross acre. Minimum densities will assure that new development will occur in a manner which maximizes the efficiency of public services. New development shall provide for connection to public sewer and water. Duplex and attached single-family homes through infill provisions or approval of a Planned Unit Development may be permitted. In addition, public facilities, churches, institutions and other special uses may be allowed in this designation if certain conditions are met. The base zones which implement this 20-Year Plan designation are the R1-20, R1-10, R1-7.5, R1-6 and R1-5 zones. The zones may be applied in a manner that provides for densities slightly higher than existing urban development, but the density increase should continue to protect the character of the existing area.

A Purpose

1. The R1-20, R1-10 and R1-7 5 districts are intended to
 - a Recognize, maintain and protect established low-density residential areas
 - b Establish higher densities where a full range of community services and facilities are present or will be present at the time of development.

- c Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas

Urban Medium

This designation provides land for single family attached housing, garden apartment, and multi-family developments ranging from 10 to 22 dwelling units per gross acre. Minimum densities assure that areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs. Areas planned for urban medium residential use and assisted living facilities shall be located near commercial uses and transportation facilities in order to efficiently provide these services. Public facilities and institutions are allowed under certain conditions. The implementing base zones in this designation are the R-12, R-18 and R-22 zones. Where Offices are determined to be appropriate, the Office Residential OR-15, OR-18 and OR-22 zones can be applied in this designation.

A. Purpose.

1. *The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for medium and higher density residential development based upon consistency with the comprehensive plan and compatibility with surrounding land uses. The following factors will be considered in the application of one (1) of these districts to a particular site:*
 - a. *Properties designated urban medium density residential on the comprehensive plan should not exceed a density of R-22. Urban high density residential areas are appropriate for densities in the R-30 and R-43 districts.*
 - b. *Proximity to major streets and the available capacity of these streets, adequacy of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these districts will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design.*

Finding.

The site is approximately 88 acres and is located along a minor arterial (NE 99th St) The proposal will create a variety of housing types The multi-family zoning is being proposed along NE 99th St which will buffer the single family detached homes. Staff is also recommending a small amount of neighborhood commercial be maintained along NE 99th St.

The applicant has submitted a market analysis as part of the re-zone request. The market analysis submitted provided indicates that the proximity of the Heritage Market Center on NE 162nd Ave and the concentration of commercial at NE 117th Ave and NE 76th St and the Albertson's Padden Market Center will shrink the property's trade area in all directions

Conclusion: The proposal meets all of the locational criteria Criterion B is met

- C. ***The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity. (See CCC 40.560.010G(3).)***

Finding See discussion above of commercial demand analysis

Conclusion: The amendment is suitable for the proposed designation. There are substantial urban services nearby to support the proposed development. Criterion C has been met.

- D. ***The plan map amendment either; (a) responds to a substantial change in conditions applicable to the area within which the subject property lies; (b) better implements applicable comprehensive plan policies than the current map designation; or (c) corrects an obvious mapping error. (See CCC 40.560.010G(4) and CCC 40.560.020H(3).)***

Finding: The applicants address this requirement in their narrative by stating that this request better implements applicable comprehensive plan policies than the current map designation due to the retention of a mix of housing types and the market study indicates there is little market for additional commercial users at this site. Staff is also recommending the retention of neighborhood commercial along NE 99th St.

Conclusion: Criterion D has been met.

- E. ***Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools. Adequacy of services applies only to the specific change site. (See CCC 40.560.010G(5) and CCC 40.560.020H(4).)***

Finding: The applicants have stated that there is adequate public water and sewer capacity to serve the subject property and the site is located within the Vancouver Urban Growth Area where more intensive development is anticipated to occur. As indicated in the county's transportation impact analysis, the proposed change in land use designation will result in a decrease in trips for the current designation.

Conclusion: Criterion E has been met.

RECOMMENDATION AND CONCLUSIONS

Based upon the information provided by the applicants and the findings presented in this report, staff recommends that the Planning Commission forward a recommendation of **Approval** to the Board of Commissioners to modify the Comprehensive Plan and Zoning Maps from a Mixed Use designation with MX zoning to an Urban Low (UL), Urban Medium (UM) and Neighborhood Commercial designation with R1-7.5, R-18 and C-2 zoning respectively. Staff is proposing that a small area (approximately 5 acre) along NE 99th St be retained as neighborhood commercial as it would likely be more viable to serve the development area.

RECOMMENDATION SUMMARY

The following table lists the applicable criteria and summarizes the findings of the staff report for Annual Review Case CPZ2013-00010. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.

COMPLIANCE WITH APPLICABLE CRITERIA		
	Criteria Met?	
	Staff Report	Planning Commission Findings
Criteria for All Map Changes		
A. Consistency with GMA & Countywide Policies	Yes	
B. Conformance with Location Criteria	Yes	
C. Site Suitability and Lack of Appropriately Designated Alternative Sites	Yes	
D. Amendment Responds to Substantial Change in Conditions, Better Implements Policy, or Corrects Mapping Error	Yes	
E. Adequacy/Timeliness of Public Facilities and Services	Yes	
Recommendation:	Approval	

Transportation Impact Analysis

Annual Review Case: CPZ2013-00010 SJO/99th Street

Introduction

This report provides a transportation analysis of the proposed comprehensive plan amendment and zone change. The report identifies the likely localized and general transportation impacts and shows how applicable adopted transportation policies have or have not been met by the applicant's proposal. Subsequent development will need to comply with applicable county development regulations, including standards governing the design of access and those that ensure transportation system concurrency.

Requested Amendment

The applicant is requesting to amend the Comprehensive Plan designation and zoning for four parcels numbers 200372-000, 200373-000, 200306-000, and 200312-000. The change would be from a Mixed Use comprehensive plan designation with MX zoning, to Urban Low-Density (UL) and Urban Medium-Density (UM) plan designations with, respectively, R 1-7.5 and R-18 zoning. The subject site is 88.5 acres and is located north of 99th Street between NE 130th and NE 138th Avenues. The site is currently vacant.

Summary of Transportation Impact Findings

The transportation analysis demonstrates that the proposed land use change would not significantly impact the transportation system. Staff recommends **approval** of the proposed comprehensive plan amendment and rezone of the subject parcel.

The following analysis shows that

- Under the current MX zoning, the subject parcel would generate approximately 8,794 trips per day. The proposed zoning of R 1-7.5 and R-18 would generate 3,179 trips per day, or the proposed zoning would result in a net decrease in trips by 5,615.
- The proposed trip generation would be a significant net decrease in trips and therefore staff determines that this proposed comprehensive plan amendment and rezone would have no significant negative impact on the transportation system.

Public Comment

- The following comment was received from the County Public Works Department
 - Although a traffic profile or traffic study for specific site development uses is not required to change site zoning, a Traffic Study may be required at the time of Preliminary Site Plan/Land Division Review. Furthermore, any potential on-site/off-site mitigations will be assessed at the time of Preliminary Site Plan/Land Division Review.

Compliance with Clark County Transportation Policy

The transportation analysis demonstrates that application CPZ2013-00010 is consistent with all applicable Clark County transportation policies

The following Framework Plan transportation policies (from the 20-Year Comprehensive Growth Management Plan 2004-2024) are relevant to this application

1.1 County-Wide Planning Policies

1 1 2 Urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in Clark County for the succeeding 20-year period

1 1 3 Urban growth shall be located primarily in areas already characterized by urban growth that have existing public facility and service capacities to adequately serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services that are provided by either public or private sources. Urban governmental services shall be provided in urban areas. These services may also be provided in rural areas, but only at levels appropriate to serve rural development

Urban governmental services include those services historically and typically delivered by cities or special districts, and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection, public transit services, and other public utilities not normally associated with non-urban areas

1 1 13 Urban Growth Area Centers (UGA) have a full range of urban levels of services and can be divided into three main categories in the following density tiers

- **Vancouver Urban Growth Area** is now or will be a major urban area activity centers will a full range of residential, commercial, and industrial uses, high-capacity transit corridors, schools, major cultural and public facilities. Major urban area centers, have or will have, urban densities of development of at least 8 units per net residential acre (6 gross units per acre as an overall average. Areas along high capacity transit corridors and priority public transit corridors may have higher than average densities while other areas would have lower densities (e.g. established neighborhoods and neighborhoods on the fringes of the urban area). Regional institutions and services (government, museums, etc.) should be located in the urban core

Finding The subject site is located in the urban area. The subject site appears to have urban services available such as, roads, sewer, and utilities. Staff therefore concludes that the above urban growth policies have been met.

GOAL: Develop a multi-modal transportation system.

5.2 Multi-modal System Policies

- 5.2.2 *Transit related options, including high capacity transit, shall be encouraged in order to reduce congestion and to improve and maintain air quality.*
- 5.2.3 *The regional public transportation system shall serve the needs of those with transportation disadvantages in accordance with adopted service standards. The county, C-TRAN and local agencies shall maintain specialized transportation services and facilities to meet the requirements of the Americans with Disabilities Act.*
- 5.2.7 *A safe and secure walkway network shall be established within urban areas and rural centers.*

Finding C-Tran runs the #72 Orchards bus line by the subject site. The County has recently completed a road project on NE 99th Street where ADA compliant sidewalk was constructed along the subject site's frontage. With the availability of the transit to the subject parcel and newly improved sidewalk along the subject site frontage, staff concludes the above multi-modal policies have been met. Staff concludes that the above stated policies have been met.

GOAL: Optimize and preserve the investment in the transportation system.

5.3 System Preservation Policies

- 5.3.1 *Development projects shall adhere to minimum access spacing standards along arterial and collector streets to preserve the capacity of the transportation system. The county shall also work with the state to ensure that minimum access spacing standards for state highways are maintained.*

Finding Per comments from concurrency staff (Attachment A), no direct access is permitted to NE 99th Street. During the development review process, the applicant will work with County Development Engineering Department to determine the appropriate access scheme for the subject site.

- 5.3.2 *The efficiency of the county's transportation system shall be optimized through the use of Transportation System Management strategies such as signal interconnection systems, signal coordination, and synchronization, and other signal improvements where appropriate.*

Finding

- 5.3.5 *The local street system shall be interconnected to eliminate the need to use collector or arterial streets for internal local trips.*

Finding If the property owner redevelops the site in the future, the existing driveways may be reviewed and possibly consolidated during the site development review process

GOAL: Ensure mobility throughout the transportation system.

5.4 System Mobility Policies

5 4 3 *The Concurrency Management System shall be structured to support growth in areas where transit and alternative travel modes are available and to support the county's economic development strategy*

Finding When development occurs, the applicant will be required to work with the County Development Engineering Department to ensure that improvements are made in compliance with the Title 40 Community Development Code No direct access will be allowed NE 99th Street

Analysis of Trip Generation

- Under the current MX zoning, the subject parcel would generate approximately 8,794 trips per day The proposed zoning of R 1-7 5 and R-18 would generate 3,179 trips per day, or the proposed zoning would result in a net decrease in trips by 5,615

Site Specific Impacts

No site specific impacts are likely to result from approval of this proposal

System Impacts

No significant impacts to the transportation system are likely to result from approval of this proposal

Report Prepared By: Laurie Lebowsky, Clark County

Date: May 10th, 2013

Disclaimer: The trip generation and system analysis in this report provides a gross estimate of the likely impacts that will result from the action of approving this Annual Review request. The assessment of transportation impacts from subsequent development of the site occurs with a specific development proposal and the testing of that proposal under the County's Transportation Concurrency Management ordinance. Approval of this Annual Review request does not ensure that the transportation system will be concurrent at the time a specific development application is submitted.



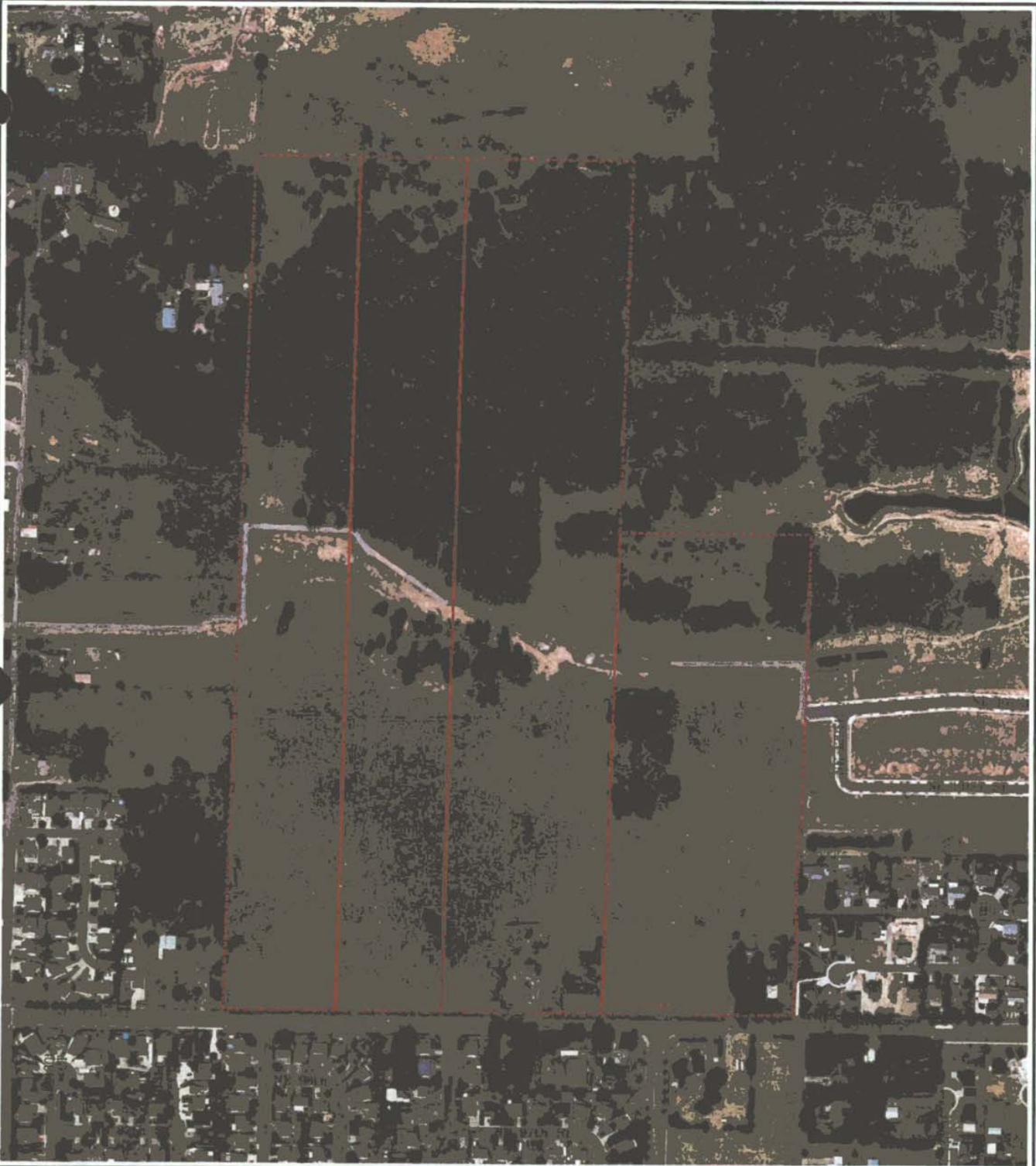
File # CPZ2013-00010, SN 200306000 200312000 200372000 200373000
 Location: T3N R2E SEC 35
 Comp Plan Change/Rezone/Text Change/Docket I

-  Subject Property
-  Comp. Plan Boundary
-  Mining
-  Industrial Reserve
-  Open Space/Density Transfer
-  Columbia River Gorge N.S.A.



Order 10000 GIS Product 1_108





File # CPZ2013-00010, SN 200306000 200312000 200372000 200373000

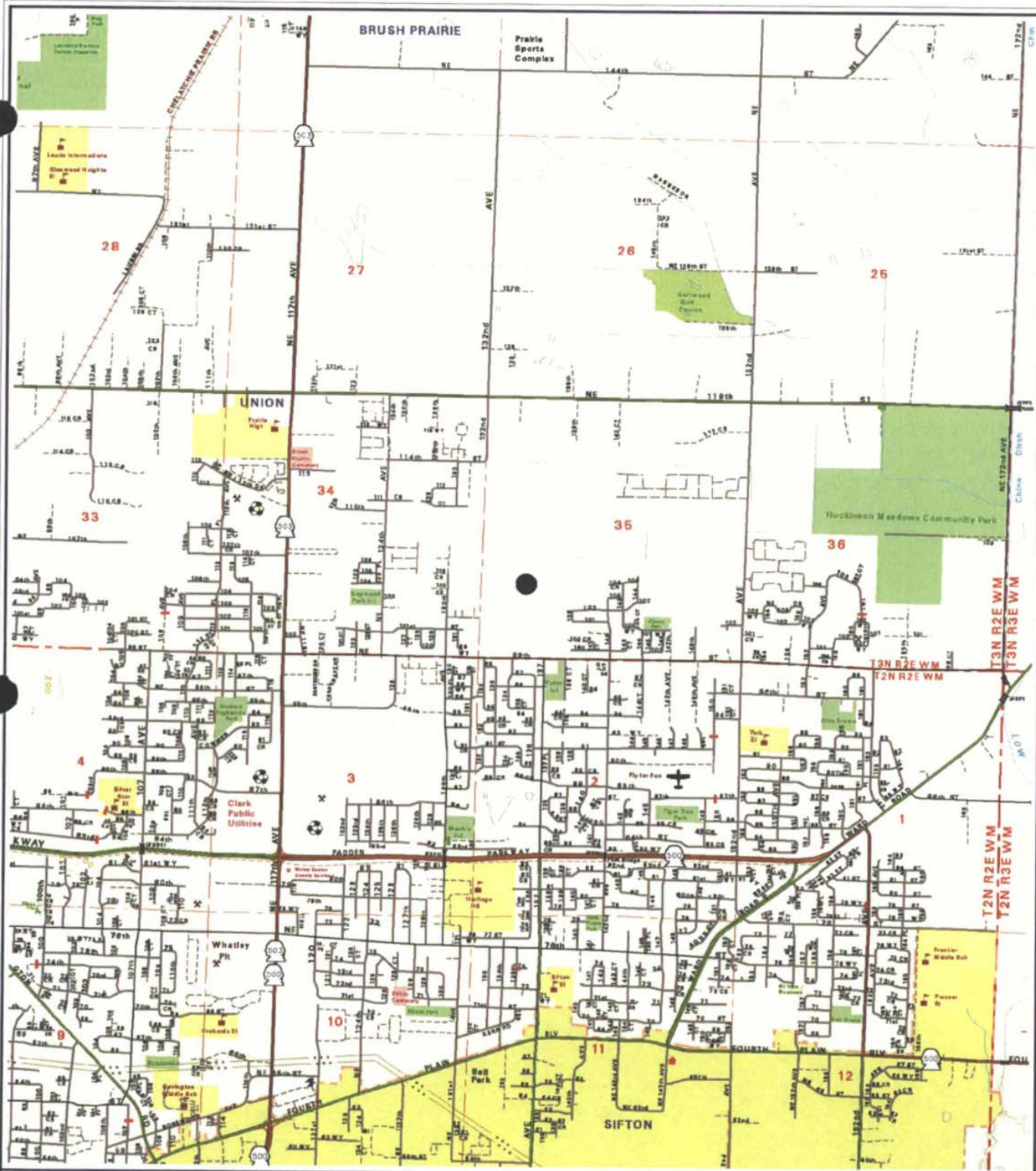
Location: T3N R2E SEC 35

Comp Plan Change/Rezone/Text Change/Docket I



Order 20130 GIS Product 1_108





File # CPZ2013-00010, SN 20030600 20031200 20037200 20037300
 Location: T3N R2E SEC 35
 Comp Plan Change/Rezone/Text Change/Docket I

Subject Property Location



Order 107510 GIS Product 1_108





LANDERHOLM

Legal advisors Trusted advocates.

Randall B Printz
805 Broadway Street
Suite 1000
PO Box 1086
Vancouver, WA 98666

T (360) 816-2524
T (503) 283-3393
F (360) 816-2329
E randy.printz@landerholm.com

December 4, 2012

Oliver Orjiako
Community Planning Director
Clark County
PO Box 9810
Vancouver, WA 98660-9810

**Re: Comprehensive Plan Amendment and Rezone for 99th Street Property
Parcels 200372-000, 200373-000, 200306-000 and 200312-000 (Austin Heritage)**

Dear Oliver

The Applicant requests Clark County to amend the Zoning and Comprehensive Plan Designation for Parcels 200372-000, 200373-000, 200306-000 and 200312-000 located in the Southwest quarter of Section 35, Township 3 North, Range 2 East, Willamette Meridian, Clark County, Washington. The current Comprehensive Plan designation is Mixed Use (MU) with the underlying zoning designation of Mixed Use District (MX). The Applicant requests the Comprehensive Plan designation be amended to Urban Low (UL) and Urban Medium (UM) with implementing zoning designations of both R-7.5 and R-18. The Applicant is proposing to locate some multi-family zoned property along 99th Street where it would be buffered from the surrounding neighborhood by the proposed R1-7.5. After further vetting with the County through the annual review process to determine the location and size of the multi family area, the parcels will be proposed for boundary line adjustment to reflect the new zoning boundaries.

The Applicant's property, ("the Property") is comprised of approximately 88.5 acres located north of NE 99th Street, east of NE 130th Avenue and west of 138th Avenue. If NE 137th Avenue was extended north of 99th Street, it would bisect the property.

Properties to the west, south and east are developed as single family residential subdivisions. Less dense large lot residential exists to the north and one parcel to the east. Falcon's Nest, a 199 lot sub division is under construction to the east. Several other constructed subdivisions exist on the eastern boundary. Rancho Acres is on the sites western boundary.

The applicant wishes to pursue this amendment because the proposed rezone better implements applicable Comprehensive Plan policies than the current map designation of Mixed Use. There is substantial land zoned Commercial, Mixed Use or BP (which allows many commercial uses) nearby and to the west, all the way to 117th. Much of that property is either not developed or underdeveloped. There is a very large area of property to the east, zoned Office Campus, which

www.landerholm.com

005373

also allows significant commercial uses. It is completely undeveloped. Winco recently finished construction on a new supermarket at the corner of 117th Avenue and 119th Street which has a host of supporting commercial users including subway, a hair salon, bank, and a tanning salon.

The long standing Yearout Business Park is also located nearby on 99th Street and 117th Avenue. It contains a variety of general office/small commercial users including insurance companies, banks, industrial/warehouse and a multitude of small business owners. Other commercial businesses to the south include the Goodwill, gas stations, a car wash, and other small commercial activities.

Because of these nearby utilized, under-utilized and vacant commercial opportunity properties, there is little market for more commercial uses at the location of the Applicant's property. This is particularly true where 99th Street, in the location of the Applicant's property, has far fewer trips than the 117th corridor. Commercial uses on this property would arguably detract from the ability of the existing vacant and underutilized commercial and mixed use zoned properties to develop.

Annual Reviews are subject to the County's Type IV land use application process. Type IV applications are heard by the Planning Commission, which then makes recommendations to the Board of County Commissioners. In order for the Planning Commission to render a recommendation of approval to the Board of County Commissioners for the proposed Comprehensive Plan change, the criteria as set forth in CCC 40.560.010(G) must be met. Following is a preliminary discussion of how the proposal can comply with the current "20-Year Comprehensive Plan for Clark County", the Growth Management Act and other requirements of Clark County.

The criteria to be analyzed for Comprehensive Plan Amendment applications are found at CCC 40.560.010. These criteria include the following.

Criteria for All Map Changes (CCC) 40.560.010 (G)

- (1) *The proponent shall demonstrate that the proposed amendment is consistent with the Growth Management Act and requirements, the county wide planning policies, the community framework plan, comprehensive plan, city comprehensive plans, applicable capital facilities plans and official population growth forecasts.*

Growth Management Act

Several of the GMA goals are relevant to this request. The Urban Growth Element of the GMA (Goal One) encourages development within existing urban areas where adequate public facilities and services exist, or can be provided in an efficient manner. In this case, a change is being proposed within the UGA and in a location where a full range of urban services are currently available. If the multi-family component of the request is approved, the overall density of the project would likely increase.

Goal Two encourages the reduction of inappropriate conversion of undeveloped land into sprawling, low density development. Changing the zoning of this property from mixed use to single and multi family residential uses will further this goal, because the property will still be densely developed.

Goal Three encourages efficient, multi-modal transportation systems based on regional priorities and coordinated with County and City comprehensive plans. This area is served by transit and is located on an arterial and is very near the 117th corridor.

Goal Four seeks to encourage a variety of housing types and an adequate supply of housing. The Applicant's proposal expressly provides for a variety of housing types including multi-family and single family residential. Within the R1-7.5 district, attached single family homes are also allowed.

Goal Five encourages economic development throughout the State that is consistent with adopted Comprehensive Plans in the area. While it could be argued that because there is a twenty percent mandatory commercial component in the mixed use zone, going away from mixed use does not encourage economic development, however, the Applicant believes that due to the substantial amount of under-utilized and vacant land in the nearby area whose zoning allows commercial uses, creating more residential density and less potentially competing commercial land is a positive step toward supporting the nearby areas that allow commercial uses.

Goal six seeks to protect private property rights. While in most cases, a property owner does not have a right to a particular zoning designation. However, allowing a property owner, consistent with the goals and policies of the Comprehensive Plan, to change its property's zoning in a manner that the property owner believes will create a more beneficial use, certainly furthers this goal.

This application presents no implications or effects upon Permit Processing (goal seven), Resource Lands (goal eight), Open Space and Recreation (Goal nine), the Environment (goal Ten) or any of the remaining goals of the GMA.

Clark County Comprehensive Plan Criteria

Community Framework Plan Policies

2.1.0 Communities, urban and rural, should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries and to ensure an adequate supply of affordable and attainable housing.

2.1.2 Provide housing opportunities close to employment opportunities.

2.1.4 All cities, towns, and the county share the responsibility for achieving a rational and equitable distribution of affordable housing.

2.1.8 Housing strategies are to be coordinated with availability of public facilities and services, including human services.

The Applicant's proposal seeks to create an environment that provides for a variety of housing types, including multi-family and single family. There are substantial employment opportunities nearby at the large Yearout business park. There are commercial and industrial uses along 117th Avenue and the large office campus zoned area to the east. This request does not upset or alter the Vancouver urban growth area's responsibility for accommodating the region's affordable housing supply. In fact, with the multi-family component, the request furthers this goal. There are a wide array of existing public facilities to serve this area.

County-wide Planning Policies

1.1.2 Urban growth areas shall include areas and densities sufficient to permit the urban growth that is projected to occur in Clark County for the succeeding 20-year period.

1.1.3 Urban growth shall be located primarily in areas already characterized by urban growth that have existing public facility and service capacities to adequately serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services that are provided by either public or private sources. Urban governmental services shall be provided in urban areas. These services may also be provided in rural areas, but only at levels appropriate to serve rural development.

Urban governmental services include those services historically and typically delivered by cities or special purpose districts, and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection, public transit services, and other public utilities not normally associated with non-urban areas.

2.1.3 Link transportation and housing strategies to assure reasonable access to multi-modal transportation systems and to encourage housing opportunities in locations that will support the development of public transportation.

2.1.4 Link housing strategies with the locations of work sites and jobs.

2.1.5 Link housing strategies with the availability of public facilities and public services.

The Applicant's proposal is consistent with and furthers the County's density goals and goals of achieving its Office of Financial Management (OFM) population projection within the existing Urban Growth Boundaries. The Applicant's property is located in an area of existing urban development surrounded by residentially zoned and developed land, with a wide array of substantial and diverse commercial service and employment

opportunities There are substantial urban services available to the area, including transportation infrastructure, mass transit, sewer, water, and fire and police protection.

County 20-year Planning Policies

1.3.1 Urban densities and uses may occur throughout the urban growth area if it is provided with adequate services. Development and redevelopment in the UGA should be strongly encouraged to occur in greater intensity in major centers transit routes and other areas characterized by both existing higher density urban development and existing urban services. Development and redevelopment should be encouraged to occur with less intensity in areas where urban development is of lower density or has not yet occurred, or in areas where urban services do not yet exist.

1.4.3 Promote the development of identifiable residential neighborhoods and shopping districts through the encouragement of more compact development patterns, and the use of shared design and landscaping characteristics and the development of landmarks.

1.4.7 Higher intensity uses should be located on or near streets served by transit.

1.4.8 Streets, pedestrian paths and bike paths should contribute to a system of fully connected routes to all destinations.

1.4.9 Access to the transit system should be provided.

The Applicant's proposal given the variety of housing proposed and the location of the multi-family component proposed along 99th Street, a major transit route for C-Tran, furthers these policies. The internal streets, pedestrian paths and landscape elements can provide for a fully integrated site internally and to the adjoining developments.

(2) *The proponent shall demonstrate that the designation is in conformance with the appropriate locational criteria identified in the plan.*

While the properties reflect some of the locational criteria for Mixed Use in their location, the locational criteria for Urban Low and Urban Medium is also met.

Locational Criteria for Urban Lands

The comprehensive Plan provides express locational criteria for R-7.5 and R-18 zoning. That criterion provides:

Urban Low Density Residential (UL)

This designation provides for predominantly single-family residential development with densities of between five and ten units per gross acre. Minimum densities will assure that new development will occur in a manner which maximizes the efficiency of public

services New development shall provide for connection to public sewer and water Duplex and attached single-family homes through infill provisions or approval of a Planned Unit Development may be permitted In addition, public facilities, churches, institutions and other special uses may be allowed in this designation if certain conditions are met. The base zones which implement this 20-Year Plan designation are the R1-20, R1-10, R1-7.5, R1-6 and R1-5 zones. The zones may be applied in a manner that provides for densities slightly higher than existing urban development, but the density increase should continue to protect the character of the existing area

Urban Medium Density Residential (UM)

This designation provides land for single family attached housing, garden apartment, and multi-family developments ranging from 10 to 22 dwelling units per gross acre. Minimum densities assure that areas build out to the density planned, ensuring that the urban areas accommodate anticipated residential needs. Areas planned for urban medium residential use and assisted living facilities shall be located near commercial uses and transportation facilities in order to efficiently provide these services. Public facilities and institutions are allowed under certain conditions. The implementing base zones in this designation are the R-12, R-18 and R-22 zones. Where Offices are determined to be appropriate, the Office Residential OR-15, OR-18 and OR-22 zones can be applied in this designation

The Applicant's proposal will create a variety of housing types. The multi-family zoning is being proposed along NE 99th Street, an arterial, which will buffer the single family detached homes with outdoor living spaces, from the traffic and noise on 99th Street. As indicated, there is a wide array of commercial services and employment opportunities nearby.

- (3) ***The map amendment or site is suitable for the proposed designation and there is a lack of appropriately designated alternative sites within the vicinity.***

The Applicant's proposal seeks to create a development that offers a variety of housing including multi-family and single family. The site is suitable for these designations, because they are compatible with the surrounding land uses, the size of the site is sufficient to accommodate the proposed uses and there are substantial urban services nearby to support the future development of the proposed uses. The criterion of "lack of appropriately designated alternative sites" is not applicable to the Applicant's proposal, because the manner in which the Applicant is proposing to amend the Comprehensive Plan designation will not create a greater number of residential units than the current Comprehensive Plan designation of Mixed Use.

- (4) ***The plan map amendment either: a) responds to a substantial change in conditions applicable to the area within which the subject property lies; b) better implements applicable comprehensive plan policies than the current map designation; or c) corrects an obvious mapping error.***

As indicated above, there are a variety of Comprehensive Plan policies that are furthered by granting the Applicant's request. The proposed zoning will function in many ways like the

current zoning. The proposal will include a mix of uses and more likely more variation in housing type. While not having a commercial component, the opportunities for functional integration of the uses is still very present. The Applicant's proposal presents many opportunities for transportation and pedestrian integration between uses, as well as an integrated approach to providing utilities, particularly storm water management. Because of these nearby utilized, under-utilized and vacant commercial properties, there is little market for additional commercial users at this site. Commercial users on this land could impair or delay the nearby existing commercial uses from being successful.

- (5) *Where applicable, the proponent shall demonstrate that the full range of urban public facilities and services can be adequately provided in an efficient and timely manner to serve the proposed designation. Such services may include water, sewage, storm drainage, transportation, fire protection and schools. Adequacy of services applies only to the specific change site.*

The site is located within the existing Vancouver UGB. There are a full array of urban services and utilities in the areas surrounding the site.

Rezoning Criteria (CCC 40.560.020 (G))

The proponent must also comply with the requirements of CCC 40.560 (Plan and Code Amendments) and case law in order to be granted a request for rezoning that accompanies the Comprehensive Plan Amendment application. Following is a brief discussion of proposal's compliance with the cited code section and case law. CCC 40.560.020.G sets specific criteria that must be met in order to approve a zone change as follows.

- (1) *Requested rezoning is consistent with the Comprehensive Plan designation.*

The proposal is not consistent with the current Comprehensive Plan designation, and therefore, a Comprehensive Plan Amendment has been proposed and is discussed in detail in this document. Approval of the Comprehensive Plan Amendment to Urban Low (UL) and Urban Medium (UM) designation would allow the proposed rezoning of R-7.5 and R-18 to be consistent with the Plan designation.

- (2) *The request zone change is consistent with the plan policies and locational criteria, and the purpose statement of the zoning district.*

The request for R-7.5 and R-18 zoning is consistent with many of the plan policies and locational criteria (referenced in the earlier portion of this narrative) and is consistent with the purpose statement of the zoning districts that follows:

40.220.010 Single-Family Residential Districts (R1-20, R1-10, R1-7.5, R1-6 and R1-5)

1. The R1-20, R1-10 and R1-7.5 districts are intended to

- a Recognize, maintain and protect established low-density residential areas*
- b Establish higher densities where a full range of community services and facilities are present or will be present at the time of development*
- c Provide for additional related uses such as schools, parks and utility uses necessary to serve immediate residential areas*

40 220 020 Residential and Office Residential Districts (R, OR)

- 1 The residential (R-12, R-18, R-22, R-30 and R-43) districts are intended to provide for medium and higher density residential development based upon consistency with the comprehensive plan and compatibility with surrounding land uses. The following factors will be considered in the application of one (1) of these districts to a particular site*
 - a Properties designated urban medium density residential on the comprehensive plan should not exceed a density of R-22. Urban high density residential areas are appropriate for densities in the R-30 and R-43 districts*
 - b Proximity to major streets and the available capacity of these streets, adequacy of public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services and proximity to public open space and recreation opportunities. Development within these districts will be reviewed to ensure compatibility with adjacent uses including such considerations as privacy, noise, lighting and design*

These provisions make clear that the County strongly desires to create development that is compatible with adjacent development, particularly where that development is residential. Development of this property with similar urban low and urban medium designations is consistent with the majority of the surrounding properties which are all zoned residential (R1-5 and R1-6). If the Applicant were to develop the property as a mixed use development, increased traffic, noise, lighting and loading and unloading could adversely affect the adjacent developments. Because this is a suburban environment on the edge of the UGB, if any mixed use project were to be developed upon this property, it would be highly unlikely that the commercial uses would be integrated into residential structures. Most, if not all of the commercial uses would be stand alone uses in separate buildings. Such uses have the potential to adversely impact adjacent residential neighbors more than an urban core vertically integrated mixed use building.

- (3) The zone change either: a. Responds to a substantial change in conditions applicable to the area within which the subject property lies; b. Better implements applicable comprehensive plan policies than the current map designation; or c. Corrects an obvious mapping error.*

As indicated above, there are a variety of Comprehensive Plan policies that are furthered by granting the Applicant's request. The proposed zoning will function in many ways like the current zoning. The proposal will include a mix of uses and more likely more variation in housing type. While not having a commercial component, the opportunities for functional integration of the uses is still very present. The Applicant's proposal presents many opportunities for transportation and pedestrian integration between uses, as well as an integrated approach to providing utilities, particularly storm water management. A large amount of commercial property sits vacant or undeveloped that are in more marketable locations such as 117th Avenue. The Applicant's request to rezone would still provide a mixed use residential product, but one that would be more compatible with the surrounding uses. A. This criteria and how the proposal complies is discussed earlier in this narrative.

(4) There are adequate public facilities and services to serve the requested zone change.

There are a full range of urban services and public facilities adjacent to the site.

Conclusion

As demonstrated throughout this narrative, the requested amendment to the Comprehensive Plan and Zoning designations for the property furthers the goals and policies of the County's Comprehensive Plan, complies with the applicable zoning ordinance locational criteria and purpose statements, capital facility elements and population forecasts.

Very truly yours,



RANDALL B PRINTZ

RBP/ss

Enclosure

SHIS06-000001 - 626149.doc

Supplemental Narrative for Comprehensive Plan Amendment and Rezone 99th Street – SJO Property - PAC2012-00065

BACKGROUND

The Applicant submitted a Pre-application request to amend the current Comprehensive Plan designation of Mixed Use (MU) and the Zoning designation of Mixed Use (MX) to Urban Low (UL) and Urban Medium (UM) with implementing zoning designations of both R1-7.5 and R-18. The Pre-application included a detailed narrative addressing the Comprehensive Plan's goals and policies, the Countywide Planning Policies, the Community Framework plan, the County's Capital Facilities Plans, Clark County's applicable code provisions, the official population growth forecasts and how the proposed amendment complied with the Growth Management Act's goals and policies. The following italicized issues were identified by County staff in the preapplication conference notes. The Applicant's responses are in **bold** below.

RESPONSE TO PRE-APPLICATION COMMENTS

Land Use:

- A. *Staff stated that the assumption is that the current comprehensive plan and zone designation Mixed Use (MX) was still applicable to this area and that the applicant will need to demonstrate that a change to low and medium density residential is appropriate and consistent with the County's Growth Management Plan and Unified Development Code. Staff said that the proposal to change the designation will need to be consistent with the Growth Management Act and the county wide planning policies. Staff proceeded to discuss with the applicant the Comprehensive Plan Designation Map Change Criteria that he applicant will need to address in an application.*

The Applicant previously submitted a detailed narrative demonstrating how and why the proposed Comprehensive Plan and zoning amendment is consistent with and furthers the goals and policies of the County's Comprehensive Plan, including its County Wide Planning Policies, Community Framework Plan, Capital Facilities Plan, locational criteria and the goals of the Growth Management Act.

- B. *The applicant has not determined how many acres will be distributed to each plan designation. Staff inquired as to the perceived challenges of developing the property under the existing designation. The applicant's representative indicated the existence of commercial in close proximity to the site would present a challenge. Staff asked the applicant if they would consider developing the property under the planned unit development (PUD) standards, if approved. The applicant's representative affirmed that they would consider developing under the PUD standards.*

Due to its location, lack of high number of trips on 99th street and competition from nearby, better located, developed and undeveloped commercial properties there are significant challenges to developing this property as it is currently zoned. In an effort to better analyze and quantify those challenges, the Applicant retained the very well respected land use economists, Johnson Reid. The Applicant request Johnson Reid to evaluate the Applicant's property, in light of all surrounding physical and market factors and determine if this property were likely to commercially develop within the foreseeable future. While they find from a purely physical perspective, the site is large enough and flat enough to accommodate both commercial retail and office uses, they also find from a locational perspective, the site is lacking in many areas which may considerably prohibit commercial development viability.

With respect to commercial retail, NE 99th Street is not necessarily a commercial corridor. With the exception of commercial uses at Eastridge Business Park, which has frontage along a regional arterial (NE 117th Avenue), they find there are no other commercial uses along NE 99th Street. Based upon estimated traffic counts from the Southwest Washington Regional Transportation Council, they find the trips along NE 99th Street are not characteristic of those supporting a neighborhood scaled retail center.

For example the daily traffic counts from arterial intersections in the vicinity like the intersection of the Padden Parkway and 137th Ave is approximately 50,000. For the intersection of 4th Plain and 137th Ave. the number of daily trips is approximately 74,000. 117th Avenue's intersection with 99th Street generates approximately 70,000 trips per day. The intersection of 99th Street and 137th only generates about 11,000 trips per day. Averaging only a fraction of trips that other commercial nodes in the immediate vicinity experience, they conclude that such a development would face a noteworthy disadvantage in the competitive marketplace.

Based upon a variety of factors discussed in their report, Johnson Reid ultimately determined that, the most limiting locational characteristic is the property's position in relation to it prospective household base and competitive developments. They specifically note that households east of NE 152nd Avenue are likely to gravitate to the Safeway anchored Heritage Market Center on NE 162nd Avenue. Similarly, they find households west of 130th likely gravitate to the Safeway, Fred Meyer, Lowe's anchored commercial concentration at NE 117th Avenue and NE 76th Street. And finally, they determined that households in the immediate vicinity are already served by the Albertson's anchored Padden Market Center just a half-mile south of the subject site. In other words, from a retail perspective, a diverse range of tenants truncate the subject's trade area in all directions.

When they looked at commercial office uses, they found the site does not have the regional accessibility to be supportive of most pure professional services type office uses. They note that regional connectivity is an essential factor for employment in the

area, because better than 60% of all employees in the immediate vicinity commute from greater than 15-minutes away. They further note that office uses on the scale of 9+ acres are not generally cohesive with the residential character of the immediate vicinity. For office uses, they conclude that the property's lack of arterial frontage and concentration of an agglomeration of like adjacent uses would preclude serious consideration from medical office and financial activity types of uses.

Another criterion that Johnson Reid looked at was the site's connectivity to mass transit. They noted that due to the property's limited public transportation connectivity, the site was further hampered in the context of commercial office marketability.

- C. *Staff also noted that the minimum density of the new proposed designation should achieve a density equivalent to the minimum density of the current zone. In the case of the mixed use 80% of the site is assumed to be built as residential and the minimum density is 12 dwelling units per acre. Therefore, the minimum density of the proposed designation should average 9.6 dwelling units per acre for the site.*

The number of dwelling units that would likely be developed under the existing and proposed zoning, using comparable assumptions is very similar. Both scenarios would generate approximately 400 dwelling units with the MX generating slightly more. Because of the size of the site, the County's MX code requires four different housing types to be developed. The MX code also requires a minimum density of 12 units per acre.

Because of the suburban nature of the area, the following assumptions were utilized: single family, 110 units; cottage, 110 units; low rise multifamily, 91 units and medium rise multifamily, 91 units. Because the MX zone allows such a broad mix of uses, wide range of minimum and maximum densities, and wide range of residential versus non residential use mix, one could calculate a much higher or much lower number of residential units under the MX scenario.

There is no question that the density of residential development under the MX scenario would likely be far greater regardless of the assumptions, due to the minimum density requirement in the MX zone of 12 units per acre and a density ceiling of 30 units per acre. In light of all of the possibilities, the Applicant had to utilize some assumptions for its analysis. Those assumptions were based upon direction from Staff (use an 80% residential assumption for the MX), and the market analysis from Johnson Reid (poor commercial viability). The Applicant also intentionally tried to match its proposed zoning, with the density and likely number of units that would occur under the most likely development scenario of the MX in order to minimize any material increase or decrease in residential units. Attached is a summary table of the assumptions used for the comparative unit analysis.

Natural Resources:

- D. *The northern half of the properties identified are likely to contain numerous wetlands and may also contain some Oregon White oak Woodlands. The proposed Comprehensive Plan Designation and Zone Change does not affect the applicability of standards that will be applied to future development of these parcels under CCC 40.440 and 40.450.*

There are critical areas on a portion of this property; most notably in the north. This area is already inside the Urban Growth Boundary and slated for urban development. In fact, under maximum allowed development intensities, the MX zone would cause far more intense development and much more impervious surface than would development under the Applicant's proposed zoning. Under a maximum development scenario under the MX zoning, approximately 80-85 percent of the developable area would be impervious surface. The percentage would be far less under the Applicant's proposed zoning. Even under an 80% residential assumption scenario, the MX, due to the multi family and commercial components required in the MX zone, would materially increase the amount of impervious surface as compared to the Applicant's proposal. Due to the presence of the critical areas and the proposed mix of densities, the Applicant will consider at the time of development utilization of the County's PUD ordinance for development of this site.

Transportation:

- E. *No direct access is permitted to NE 99th Street. Provide a site plan showing where access will be provided, and also provide a plat map showing access is allowed.*

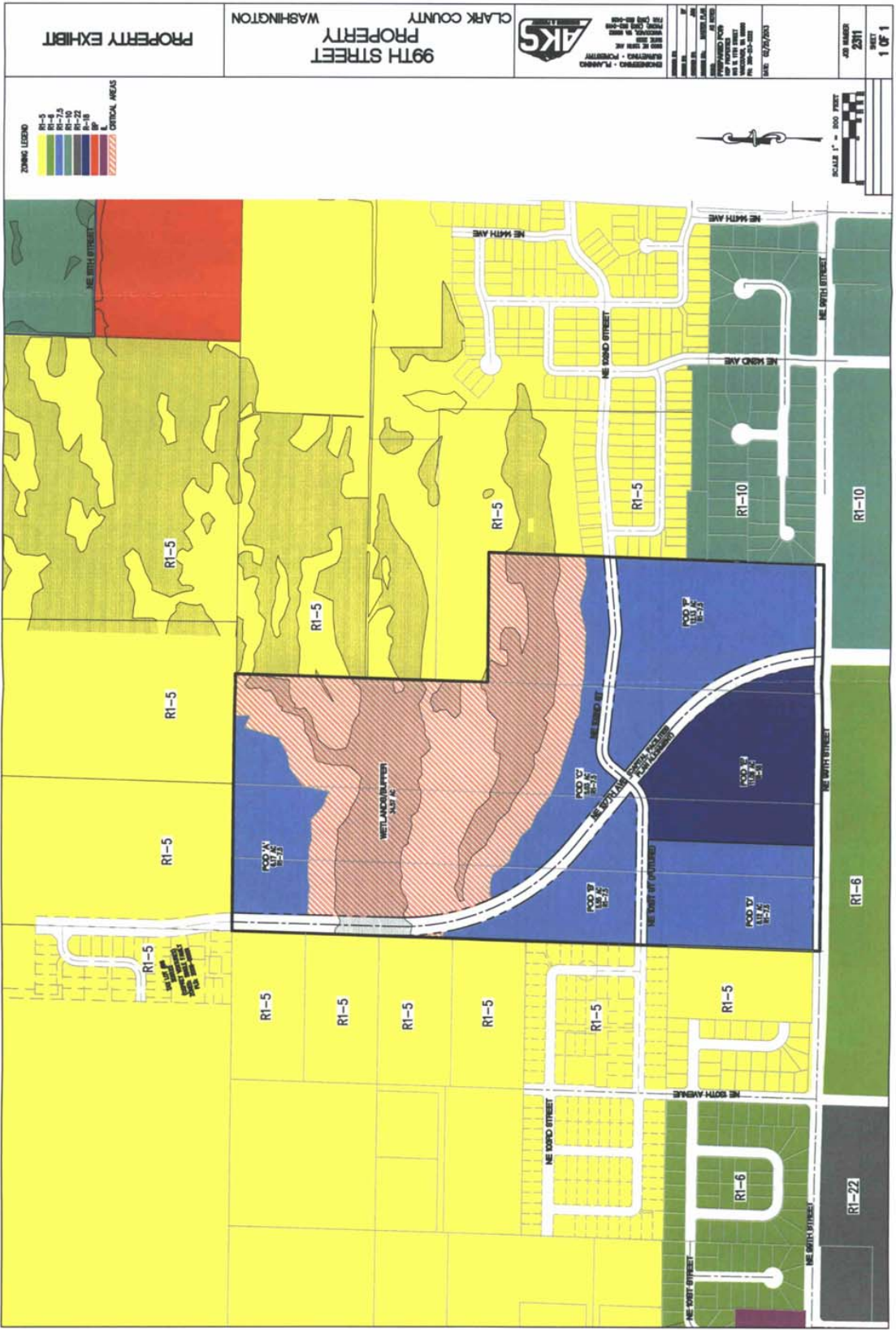
Included with this application is a conceptual plan identifying planning pods of various densities, locations of critical areas, surrounding development patterns and circulation plan for pedestrian and vehicular traffic. It specifically includes an access point to 99th Street.

- F. *The applicant will provide a traffic study that evaluates the traffic impacts of the proposed comprehensive plan and zone change on the surrounding transportation system. It would compare the trip generation between the existing and proposed comprehensive plan designation. The traffic study would assume full build-out of the area under the existing comprehensive plan designation and zoning.*

Hann Lee and Associates has analyzed the comparative trip generation characteristics of likely trip generation scenarios under the MX and proposed zoning. The report is included in this application. Using very conservative development assumptions; for the MX (80% residential at minimum allowed density); and a more optimum development assumption for the proposed zoning, (trying to achieve a reasonable worst case for trip generation); the analysis still finds that transportation impacts would be reduced by over 500 PM peak hour trips under the proposed zoning.

CONCLUSION

Based upon the market analysis, there appears to be little or no commercial viability with this site for the reasonably foreseeable future. Under virtually any assumed development scenario, amending the Comprehensive Plan and zoning as requested by the Applicant, will reduce storm water and transportation impacts. While higher density development with smaller lots and more multi family living units could occur with the MX zoning, the proposed zoning is designed to try and achieve a similar amount of residential units. For these and many other reasons as articulated in this application and the pre application narrative, amending the Comprehensive Plan and zoning as requested by the Applicant better implements the goals and policies of the Comprehensive Plan and the Growth Management Act.



PROPERTY EXHIBIT

99TH STREET PROPERTY
CLARK COUNTY
WASHINGTON



ENGINEERING - PLANNING
SURVEYING - PHOTOGRAMMETRY
CONSULTING - DESIGN
1000 10TH AVENUE, SUITE 100
DENVER, CO 80202
PHONE: 303.733.1100
FAX: 303.733.1101
WWW.AKS-INC.COM

JOB NUMBER: 2311
SHEET: 1 OF 1



99TH STREET PROPERTY

Residential Zoning:

Pod	Zone	Gross Area (AC)	ROW & Storm Area (AC)	Net Area (AC)	Min Density (D.U.)	Max Density (D.U.)
A	R1-7.5	6.17	2.16	4.01	16	29
B	R1-7.5	5.55	1.94	3.61	14	26
C	R1-7.5	5.03	1.76	3.27	13	23
D	R1-7.5	8.12	1.62	6.50	26	47
E	R-18	11.06	0.00	11.06	132	199
F	R1-7.5	12.13	2.43	9.70	39	70

Total: 394 DU

Maximum Site Density with proposed zoning meets or exceeds minimum MX zone residential

Block E (Multifamily) Zone Determination:

Net Area R1-7.5 27.09 AC
 Net Area Total Res 38.15 AC

MX Zone Min Density (12 du/ac) 457 DU (per preapplication comments)
 Max Density (R1-7.5) 157 DU
 Max Density (R1-7.5->R1-6) 197 DU (assume density transfer)

Max Density 300 DU 27.1 du/ac
 Min Density 260 DU 23.5 du/ac

R-30 Zone (18-30du/ac)

Minimum multifamily zone to match minimum MX density for site

MX ZONE (20% RES):

Net Area 47.83 AC
 Commercial 38.27 AC
 Residential 9.57 AC

Residential Breakdown:

2.30 AC 27 Single Family (20% devoted to storm and ROW)
 2.30 AC 27 Cottage (20% devoted to storm and ROW)
 1.91 AC 22 Low Rise
 1.91 AC 22 Med Rise

Min Res Density: 98 DU

Based on minimum density of 12 du/ac and 20% of net site area developed as residential

MX ZONE (80% RES):

Net Area 47.83 AC
 Commercial 9.57 AC
 Residential 38.27 AC

Residential Breakdown:

9.18 AC 110 Single Family (20% devoted to storm and ROW)
 9.18 AC 110 Cottage (20% devoted to storm and ROW)
 7.65 AC 91 Low Rise
 7.65 AC 91 Med Rise

Min Res Density: 402 DU

Based on minimum density of 12 du/ac and 80% of net site area developed as residential

LOUISE FEDDEMA, 9717 NE 138 COURT, VANCOUVER, WA 98682

louise@feddema.com

PH. 360-852-8842

I am not opposed to progress as far as development goes; I am concerned that Clark County is making the same mistakes that Santa Clara County made in the 1970s. In the 1970s Santa Clara County CA made the mistake of allowing the best farm land in the West to be used for congested housing. We have planning commissions to make long range plans and then stick to them.

When we moved into our home on NE 138 Court in 1989 we were assured that the plan for our area was no lot smaller than ONE acre. That plan seemed to last just long enough for the houses on our street to be built. We are the only ones with 1.44 acre lots. Then the houses were built on the South side of NE 99th street. These are as small as 6,000 square foot lots.

A few years ago you allowed a developer to put in houses on the street called NE 140th Court (right behind our house). These homes were built with no access to NE 140th Court. There is a 'temporary' alley access for the homes behind us. These houses are also lots that seem small.

Other, more established, homes on NE 142 and further East on NE 99th Street are about 1 acre.

Well water quality is of primary concern. Paving too much, or dumping water in temporary water cisterns or filters – is not refilling the aquifer with water. Because our water is now naturally filtered by distribution over hundreds of acres of unconsolidated glacial debris that consists of mixed gravels, rocks and boulders; if more than half of the local acreage is covered by houses and streets, then we are not renewing this resource.

If there is new paving please make it like the sidewalks on NE 99th Street – in that water flows right through them.

I think that

- Lot Sizes should be 7,000 to 10,000
- Wetlands must be respected and new property owners must be protected from water that is at three feet below ground level
- These are not old growth trees on that land, but there are some really old oaks and some beautiful second and tertiary growth that support everything from duck, osprey, herons, bear and lots of possum and raccoon.
It would be a shame to lose them all.

Thank you for letting me have my say, and I ask that you create a plan that ties responsibility to development. You only have a chance to put restrictions on land before things are built. Ask that the developers make a real park out the park across the street from their land, make the developers do things to protect the aquifer.



2009 Photography

Scale 1:4800
0 200 400 600 Feet



Order 100918 GIS Product 1.24
Printed: September 24, 2012

Serial No.: 185402-000
Owner: THG SC LLC
Address: 9305 NE HIGHWAY 99
C/S/Z: VANCOUVER, WA 98665

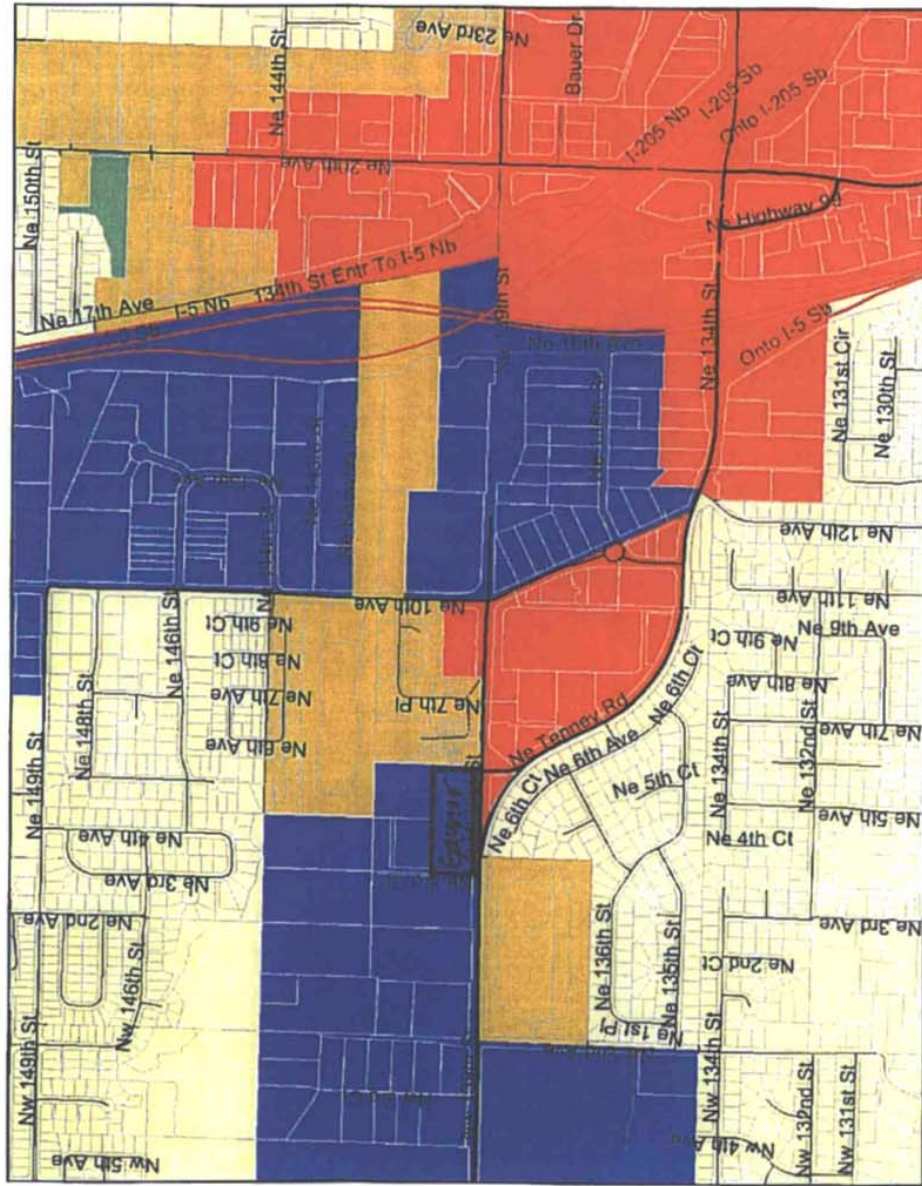


Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.



© 2013 Microsoft Corporation. Pictometry Bird's Eye © 2010 Pictometry International Corp. Pictometry Bird's Eye © 2010 A. Geospatial Services Inc.

Zoning Map



Legend

- Parcels
- Roads
- Alley
- Arterial
- DNR (Private Land)
- Driveway
- Interstate
- Interstate Ramp
- Primary Arterial
- Private Roads
- Private Roads w/o Names
- Public Roads
- SR Ramp
- State Route

Zoning Overlays

- Urban Holding - 10 (UH-10)
- Urban Holding - 20 (UH-20)
- Urban Holding - 40 (UH-40)
- Urban Reserve - 10 (UR-10)
- Industrial Urban Reserve - 20
- Railroad Industrial Urban Reserve
- Surface Mining Overlay District
- Airport Environs Overlay
- Existing Historic Resort
- Columbia River Gorge Scenic Area
- Vancouver Multiple Overlays
- Mixed Use Overlay
- Sewer Capacity Overlay
- Infill Residential Development Area
- Woodburn Hills Subarea
- Industrial Mixed Use
- Area 'E'
- PHD Overlay

Zoning Designations

- Single Family

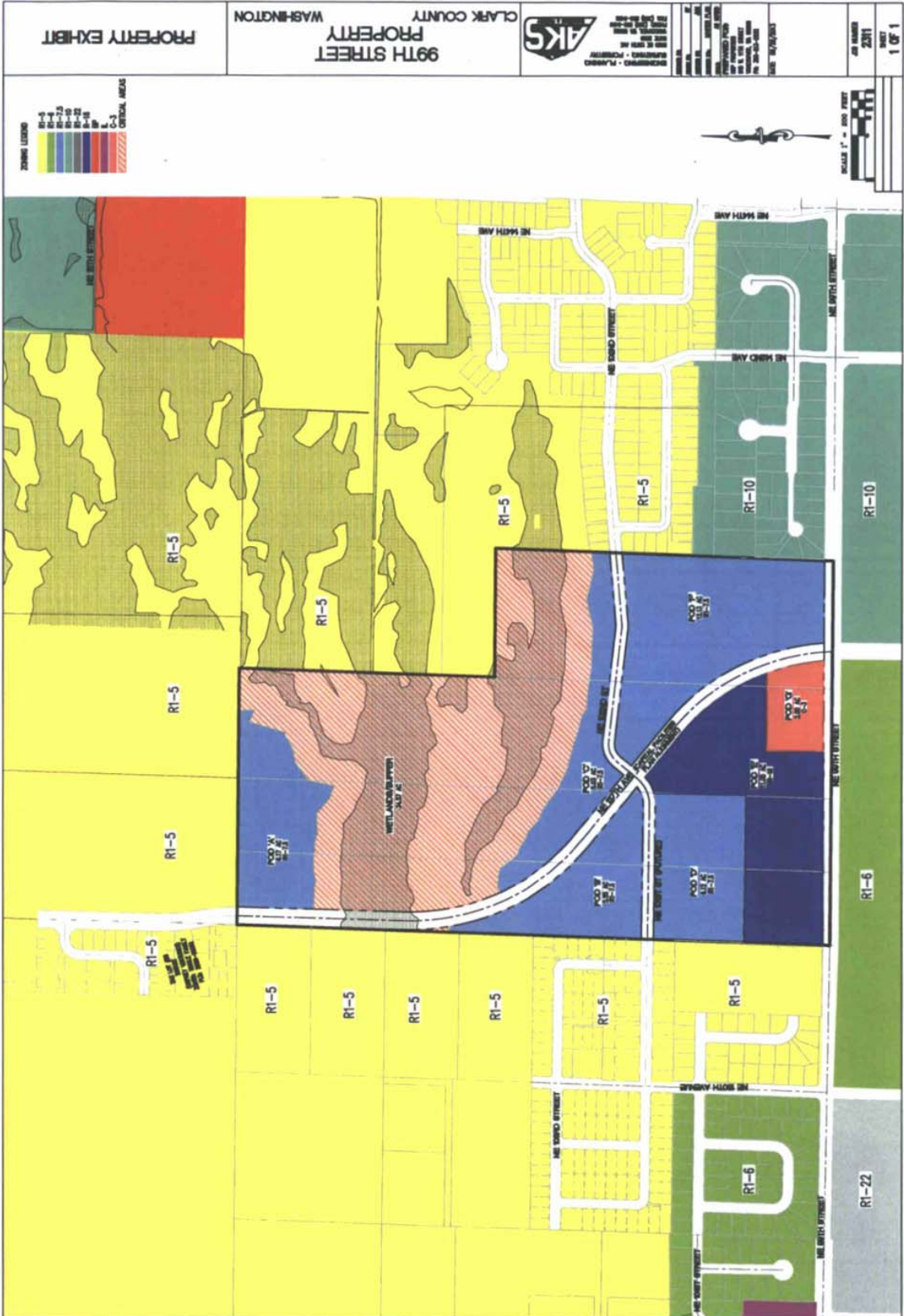
Scale: 1:11,625



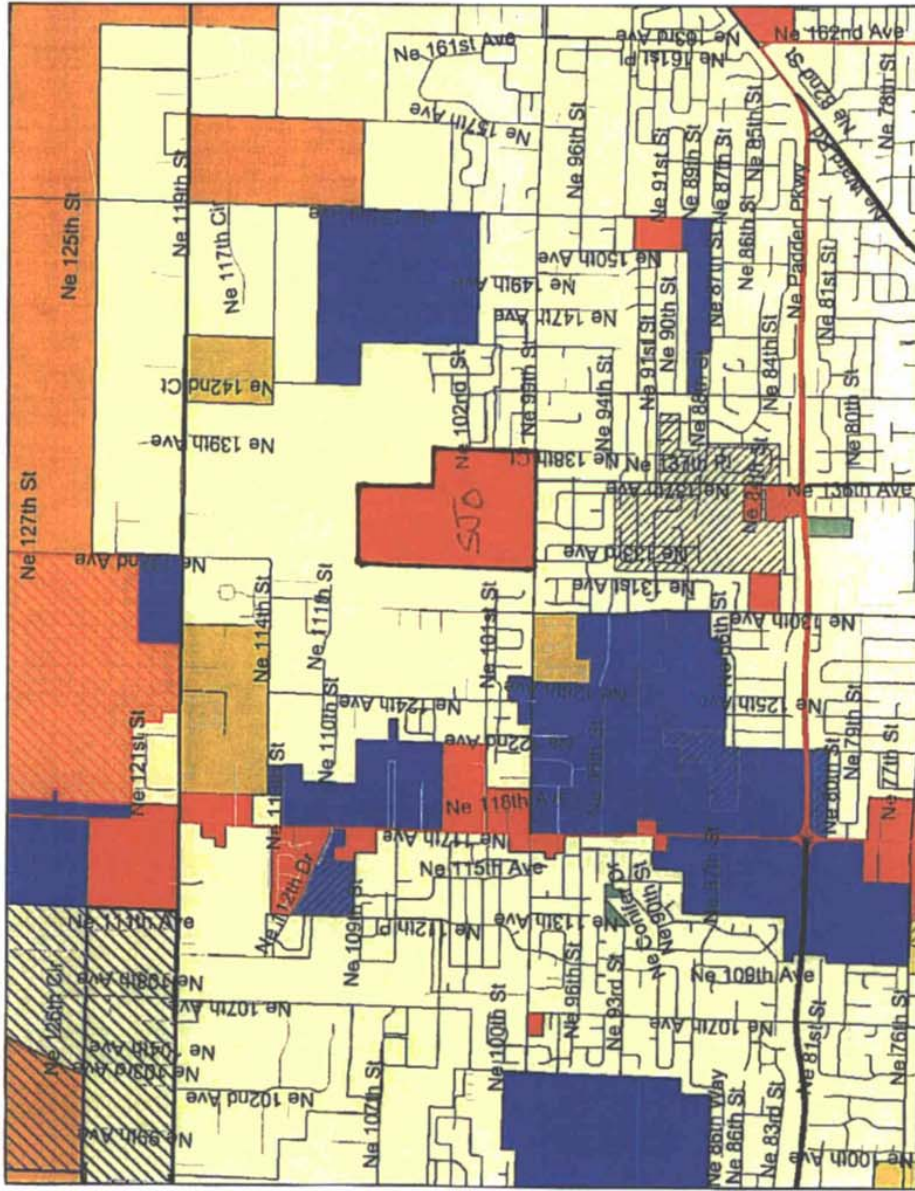
Map center: 1088395, 149357



This map was generated by Clark County's "Maps Online" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.



Zoning Map



Legend

- Roads**
 - Alley
 - Arterial
 - DNR
 - DNR (Private Land)
 - Driveway
 - Interstate
 - Interstate Ramp
 - Primary Arterial
 - Private Roads
 - Private Roads w/o Names
 - Public Roads
 - SR Ramp
 - State Routes
- Zoning Overlays**
 - Urban Holding - 10 (UH-10)
 - Urban Holding - 20 (UH-20)
 - Urban Holding - 40 (UH-40)
 - Urban Reserve - 10 (UR-10)
 - Industrial Urban Reserve - 20
 - Railroad Industrial Urban Reserve
 - Surface Mining Overlay District
 - Airport Environs Overlay
 - Existing Historic Resort
 - Columbia River Gorge Scenic Area
 - Vancouver Multiple Overlays
 - Mixed Use Overlay
 - Sewer Capacity Overlay
 - Infill Residential Development Area
 - Woodburn Hills Subarea
 - Industrial Mixed Use
 - Area 'E'
 - PID Overlay
- Zoning Designations**
 - Single Family
 - Multi-Family

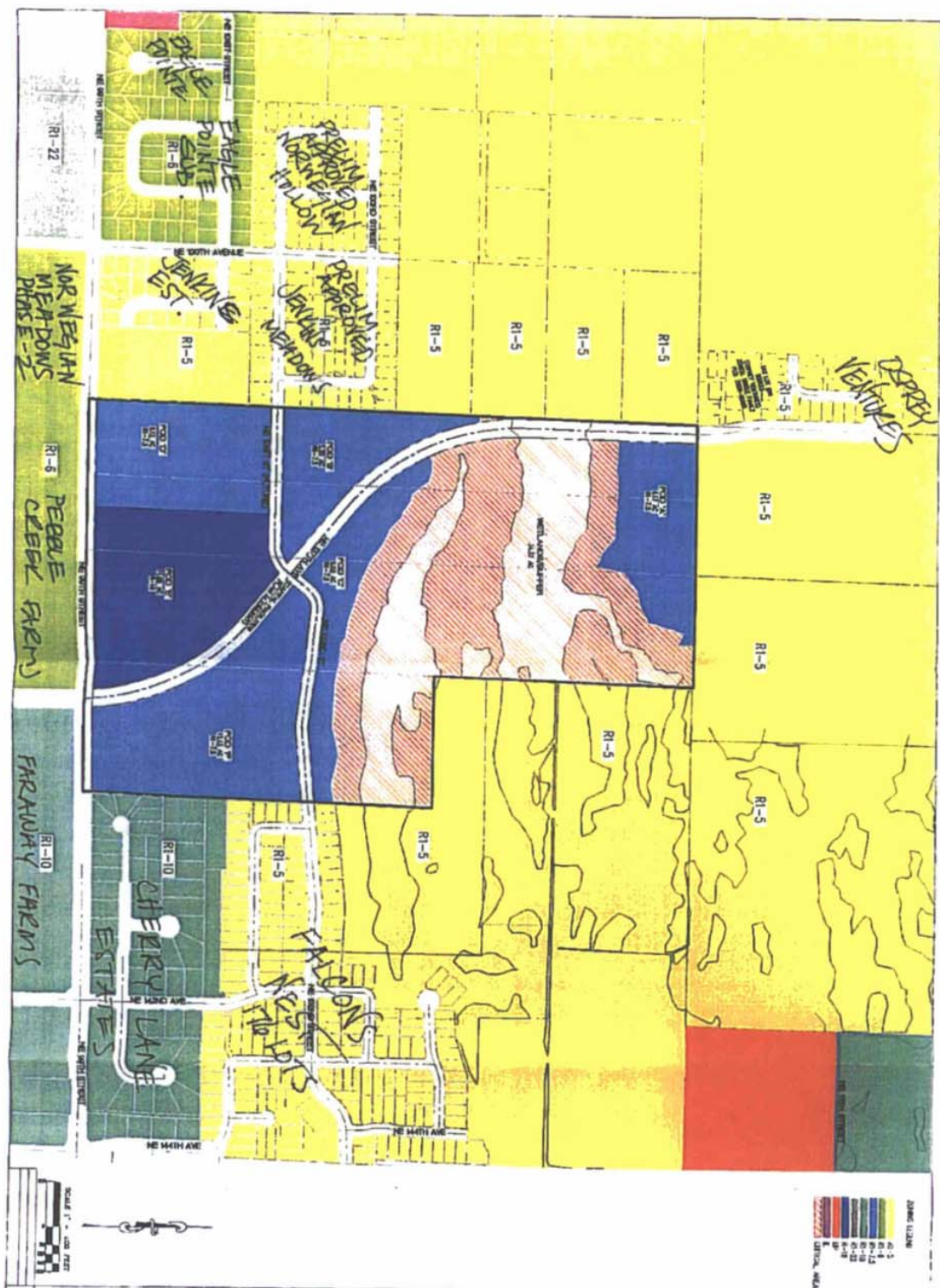
Scale: 1:29,062

Map center: 1119455, 139145



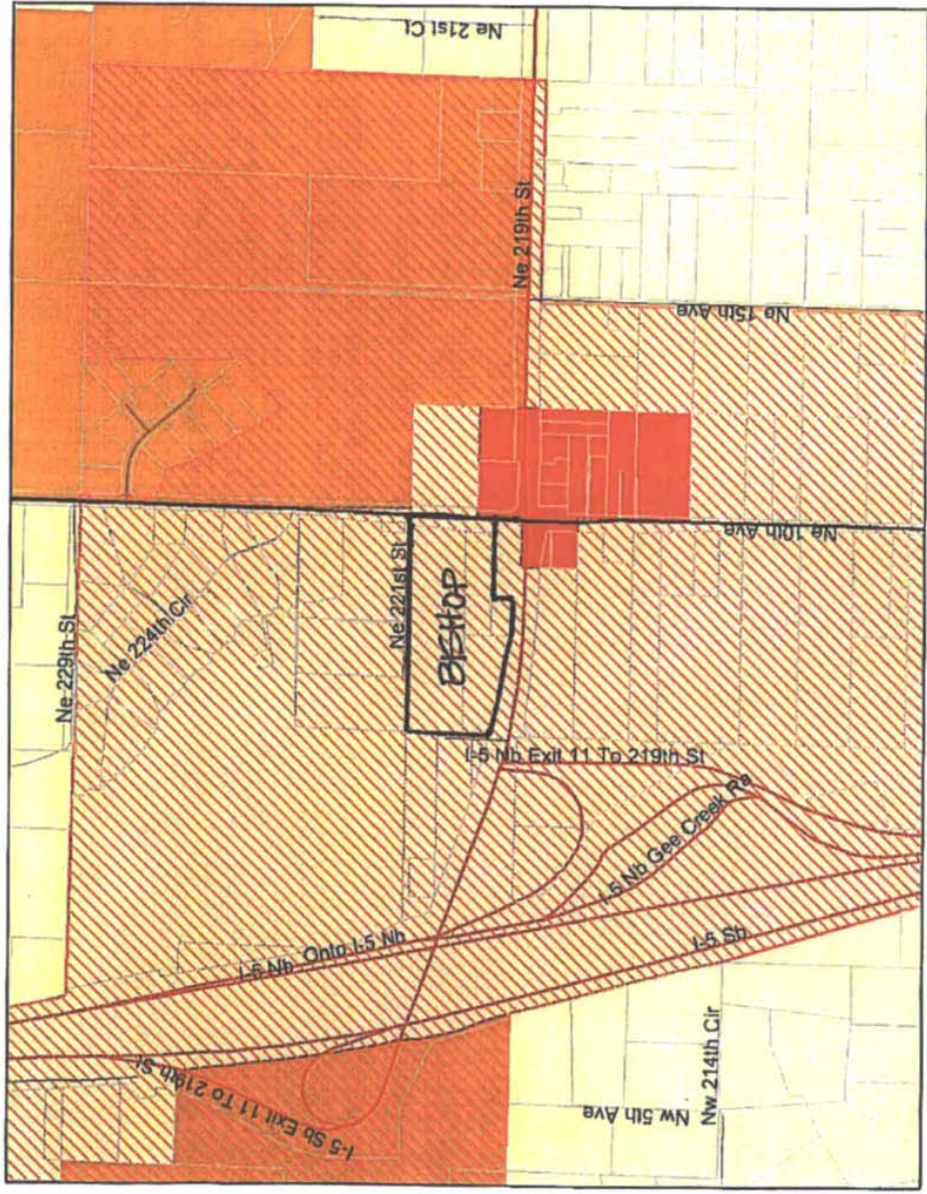
This map was generated by Clark County's "Maps Online" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

ADJACENT SUBDIVISIONS



<p>DATE: 2/11/11 1 OF 1</p>	<p>AKS ARCHITECTURAL & CIVIL ENGINEERING</p>	<p>99TH STREET PROPERTY CLARK COUNTY WASHINGTON</p>	<p>PROPERTY EXHIBIT</p>
--	---	---	-------------------------

Zoning Map



Map center: 1088451, 170645



Legend

- Parcels
- Roads
- Alley
- Arterial
- DNR
- DNR (Private Land)
- Driveway
- Interstate
- Interstate Ramp
- Primary Arterial
- Private Roads
- Private Roads w/o Names
- Public Roads
- SR Ramp
- State Route
- Zoning Overlays
 - Urban Holding - 10 (UH-10)
 - Urban Holding - 20 (UH-20)
 - Urban Holding - 40 (UH-40)
 - Urban Reserve - 10 (UR-10)
 - Industrial Urban Reserve - 20
 - Railroad Industrial Urban Reserve
 - Surface Mining Overlay District
 - Airport Environs Overlay
 - Existing Historic Resort
 - Columbia River Gorge Scenic Area
 - Vancouver Multiple Overlays
 - Mixed Use Overlay
 - Sewer Capacity Overlay
 - Infill Residential Development Area
 - Woodburn Hills Subarea
 - Industrial Mixed Use
 - Area 'E'
 - PID Overlay
- Zoning Designations
 - Single Family

Scale: 1:11,625

This map was generated by Clark County's "Maps Online" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

McCall, Marilee

From: Alvarez, Jose
Sent: Thursday, June 20, 2013 1:30 PM
To: Cook, Christine
Cc: Randy.Printz@landerholm.com; McCall, Marilee
Subject: FW: ECY 13-2733 - NE 99th St SJO project - Comments
Attachments: 13-2733.pdf

Importance: High

FYI

From: Mendoza, Sonia (ECY) [<mailto:Smen461@ECY.WA.GOV>]
Sent: Thursday, June 20, 2013 12:19 PM
To: Alvarez, Jose
Cc: Schroeder, Rebecca (ECY); josh@hspre.com; randy.printz@landherholm.com
Subject: ECY 13-2733 - NE 99th St SJO project - Comments
Importance: High

Mr. Alvarez,
Attached are Ecology's comments for the NE 99th St SJO project (Ecology SEPA No. 13-2733). Comments are due today 6/20/13.

Attached is the original final copy.

Please reply to this message for confirmation. Thank you.

Sonia Mendoza 🌸

Department of Ecology-SWRO

SEPA Coordinator

P:360-407-6313 & F:360-407-6305

sonia.mendoza@ecy.wa.gov

Please consider the environment before printing this e-mail



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 20, 2013

Clark County Community Planning
RE. SEPA Comments
Attn: Jose Alvarez
PO Box 9810
Vancouver, WA 98660-9810

Dear Mr. Alvarez:

Thank you for the opportunity to comment on the determination of nonsignificance for the NE 99th St SJO project (File No. CPZ2013-00010) located at 13804 Northeast 99th Street as proposed by Josh Oliva, SJO LO 90 B LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**SHORELANDS & ENVIRONMENTAL ASSISTANCE:
Rebecca Schroeder (360) 407-7273**

Although the current proposal is for a change in zoning designation, it is clear that there are wetlands on the properties. When designing future development on these sites, Ecology recommends avoiding and minimizing wetland impacts to the fullest extent possible. Wetlands should be preserved with a buffer adequate to protect them from any adverse impacts associated with adjacent land uses. Ecology further recommends that wetlands and buffers on these sites be placed in a Native Growth Protection Easement or designated as permanent open space in order to protect the wetlands from future development impacts.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM:13-2733)

cc: Rebecca Schroeder, SEA
Josh Oliva, SJO LO 90 B LLC (Applicant)
Randy Printz, Landerholm Law Firm (Contact)

McCall, Marilee

From: Alvarez, Jose
Sent: Monday, June 10, 2013 5:44 PM
To: 'MATT GUSTOFSON'
Subject: RE: CPZ2013-00010 00011 00012
Attachments: Zone Exhibit pdf

Mr. Gustofson,

The applicant is requesting a change to the Comprehensive Plan and Zoning to change the designation from Mixed Use to primarily residential single family zone R1-7.5 which allows 7,500 -10,500 sq ft lots and R-18 which is a range from 12 to 18 units per acre in the multi-family zone.

The current zone allows for a mix of uses (such as housing, offices, retail, public service or entertainment) with a minimum density of 12 dwelling units per acre and no more than 30% of the total dwelling units being single family residential.

Staff is recommending a small amount of the property approximately 1 acre be neighborhood commercial, which would allow small commercial retail most likely along NE 99th St. Attached is the applicant submittal for proposed zoning. Let me know if you have any other questions.

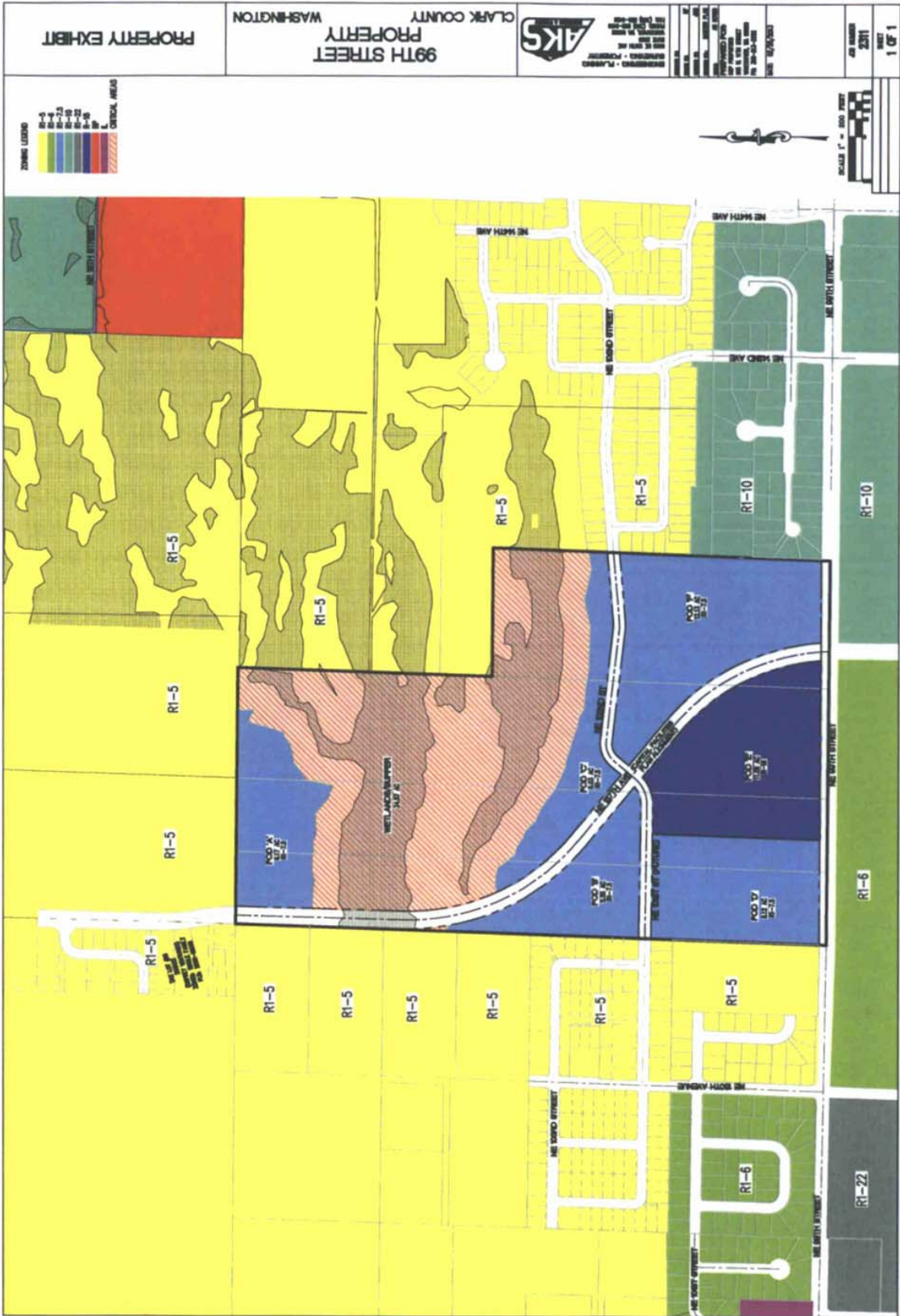
Jose Alvarez
Planner II
Clark County
Department of Community Planning
360 397 2280 x4898

From: MATT GUSTOFSON [<mailto:gustofson5@msn.com>]
Sent: Monday, June 10, 2013 2:25 PM
To: Alvarez, Jose
Subject: CPZ2013-00010 00011 00012

Mr. Jose Alvarez,

I received a letter in the mail regarding the proposal for the above. Can you tell me in laymen's terms what is being requested here? I live on property bordering the east side of the property in question. Thank you.

Jon M Gustofson



McCall, Marilee

From: Alvarez, Jose
Sent: Thursday, June 20, 2013 11:00 AM
To: 'Janet Shattuck'
Subject: RE: Zone changes at 99th Street and 132nd Ave
Attachments: Zone Exhibit.pdf

Janet,

The current zone allows for a mix of uses (such as housing, offices, retail, public service or entertainment) with a minimum density of 12 dwelling units per acre and no more than 30% of the total dwelling units being single family residential.

The applicant is requesting a change to the Comprehensive Plan and Zoning to change the designation from Mixed Use to primarily residential single family zone R1-7.5 which allows 7, 500.-10,500 sq. ft. lots and R-18 which is a range from 12 to 18 units per acre in the multi-family zone. Staff is requesting a minimum amount of commercial be in the proposal from 2-5 acres. The applicant hasn't landed on a location for the commercial but has agreed to not have it abutting the east or west property lines adjacent to the existing residential.

There are no specific development proposals at this time so a park feature hasn't been discussed. The forested area on the north side of the property has some environmentally sensitive areas (Oregon white oak and wetlands) that our critical areas ordinance will protect. There will be a requirement through the development process to delineate that area to more clearly identify the area and what the buffers would be applied.

The total number of dwelling units both single family and multi-family is expected to be about 400 . Through the development process School Impact Fees will be assessed to the developer/builder to account for the potential new students.

Attached is a map of the proposed zoning but it does not include the 2-5 acres of commercial.

I will forward your comments/inquiries to the Planning Commission. In terms of process the Planning Commission will make a recommendation to the Board of County Commissioners and there will be another public hearing in the fall for the Board to make the final decision and we will send you notice of that meeting. Please let me know if you have any other questions.

Jose Alvarez
Planner II
Clark County
Department of Community Planning
360.397.2280 x4898

From: Janet Shattuck [<mailto:shattuckje@qwest.net>]
Sent: Wednesday, June 19, 2013 10:38 AM
To: Alvarez, Jose
Subject: Zone changes at 99th Street and 132nd Ave

Hi –

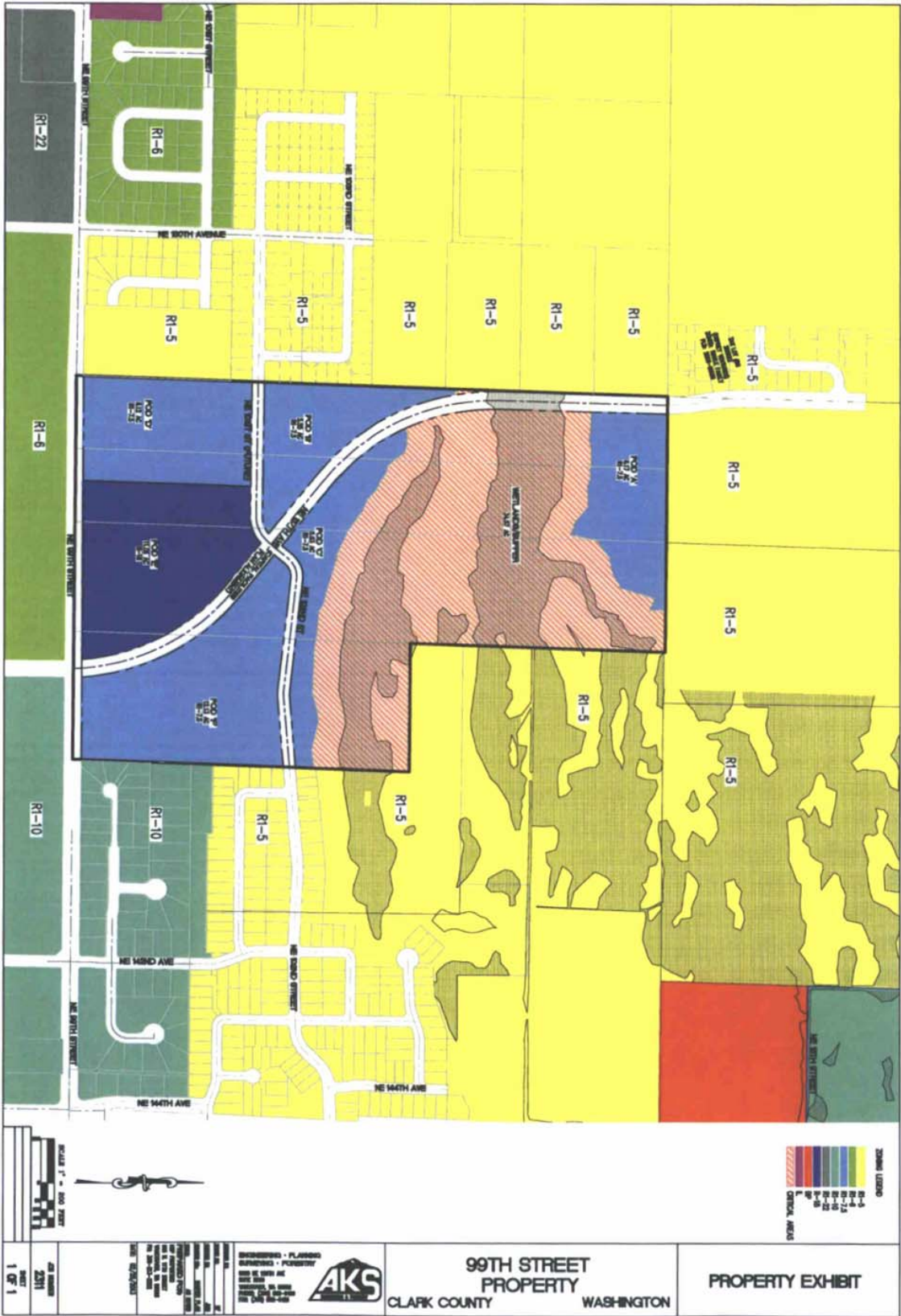
I live near the property north of 99th Street at 132nd Avenue. I saw your signs stating there was a request to change the zoning for these parcels. I cannot make the meeting this week so I am sending you this email to hopefully answer some of my questions.

The sign mentioned residential and commercial zoning changes? What does this mean? Will this property be all houses or will there be apartments as well? Will there be businesses added too? If so, what kind of businesses?

The property goes way back into a forested area to the north. Are there plans to have a community park in this new development? It would be extremely sad to have the developer cut down all those beautiful trees. I would hope that efforts would be made to keep most of the big trees on the property.

How many houses would eventually be built on this property? How does this impact the Glenwood/Laurin schools for the addition of new students? Does the builder or property owner have any requirements to help fund a new school if needed?

Thanks
Janet Shattuck



McCall, Marilee

From: Fornes, George L (DFW) <George.Fornes@dfw.wa.gov>
Sent: Friday, June 07, 2013 9:55 AM
To: Alvarez, Jose
Cc: Friesz, Anne R (DFW)
Subject: 99th St (CPZ2013-00010)

Jose,

Thank you for providing the Washington Department of Fish and Wildlife (WDFW) with notification of the proposed amendments to the comprehensive plan and zoning designations on 99th St.

Our Priority Habitats and Species (PHS) database indicates the presence of wetlands and Oregon white oak woodland in the northern half of the 88-acre site. We are confident that Clark County's Habitat Conservation Ordinance and Wetland Protection Ordinance will both ensure adequate protection of these valuable areas when future development proposals are drafted.

Thanks again,

George Fornes
Area Habitat Biologist
WDFW Habitat Program
3108 Grand Blvd, Vancouver, WA 98661
(360) 906-6731, George.Fornes@dfw.wa.gov



McCall, Marilee

From: Fornes, George L (DFW) <George.Fornes@dfw.wa.gov>
Sent: Friday, June-07, 2013 10:20 AM
To: Alvarez, Jose
Subject: NE 10th Ave (CPZ2013-00012)

Jose,

Thank you for providing the Washington Department of Fish and Wildlife (WDFW) with notification of the proposed Comprehensive Plan amendment and rezone of properties on NE 10th Ave.

The SEPA checklist Item D-4 indicates the presence of "one NS stream on the property." Please note that our records indicate the presence of a Type F (fishbearing) stream on the property rather than a Type Ns. We are confident that Clark County's Habitat Conservation Ordinance will ensure adequate protection of the riparian corridor when future development proposals are drafted.

George Fornes
Area Habitat Biologist
WDFW Habitat Program
2108 Grand Blvd., Vancouver, WA 98661
(360) 906-6731, George.Fornes@dfw.wa.gov





proud past, promising future

Clark County Planning Commission

Ron Barca, Chair
Valerie Uskoski, Vice Chair
Steve Morasch
Eileen Qutub
James Gizzi
Karl Johnson

CLARK COUNTY PLANNING COMMISSION THURSDAY, JUNE 20, 2013

6:30 P.M. - PUBLIC HEARING

BOCC HEARING ROOM, 6TH FLOOR - PUBLIC SERVICES BUILDING
1300 FRANKLIN STREET - VANCOUVER, WA

AGENDA

- I. CALL HEARING TO ORDER
- II. ROLL CALL & INTRODUCTION OF GUESTS
- III. APPROVAL OF AGENDA & MINUTES
 - A Approval of Agenda for June 20, 2013
 - B Approval of Minutes for May 16, 2013
- IV. COMMUNICATIONS FROM THE PUBLIC
- V. PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION:
 - A. CPZ2013-00010 - 99TH STREET:
Proposal to amend the Comprehensive Plan designation Urban Low (UL) and Urban Medium (UM) with implementing zoning designations of both R1-7.5 and R-18. The applicant is proposing to locate 11.6 acres of multi-family zoned property along 99th St. The remainder of the approximately 88 acres is proposed to be rezoned R1-7.5
Contact: Jose Alvarez (360) 397-2280 ext. 4898 or jose.alvarez@clark.wa.gov.
 - B. CPZ2013-00011 - GAYNOR:
Proposal to amend the Comprehensive Plan designation from Light Industrial (IL) to Community Commercial (CC) with implementing zoning designations of C-2 on approximately 3.8 acres
Contact: Jose Alvarez (360) 397-2280 ext. 4898 or jose.alvarez@clark.wa.gov.
 - C. CPZ2013-00012 - NE 10TH AVENUE:
Proposal to amend the Comprehensive Plan designation from Rural (R-5) to Rural Commercial (CR) with implementing zoning designation of CR-1 on four tax lots (216896000, 216957000, 216897000, 216956000) totaling approximately 15 acres
Contact: Jose Alvarez (360) 397-2280 ext. 4898 or jose.alvarez@clark.wa.gov.

D. KENNELS/NOISE STANDARDS

Amendment to Clark County Code to address noise standards as it relates to kennel operations

Contact: Marty Snell (360) 397-2375 ext. 4101 or marty.snell@clark.wa.gov

VII. OLD BUSINESS

VII. NEW BUSINESS

IX. COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

X. ADJOURNMENT

STAFF REPORT AND RECOMMENDATIONS:

Staff recommendations to Planning Commission will be available 14 days prior to the hearing date listed above. To receive the staff report for the meeting, contact Manlee McCall, Administrative Assistant to the Clark County Planning Commission at (360) 397-2280, ext 4558, or e-mail manlee.mccall@clark.wa.gov

SUBMISSION OF WRITTEN TESTIMONY:

If you bring written testimony to read at the hearing, the Planning Commission would request submission of at least ten copies for the record (seven copies for Planning Commission and three copies for staff)

E-MAIL TESTIMONY:

PLEASE NOTE: All e-mails need to be received no later than 48 hours prior to the hearing and need to include full name, address, city, zip code, and phone number to be included as parties of record. Testimony can be e-mailed to the above-listed planners or to manlee.mccall@clark.wa.gov.

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

The Public Service Center is wheelchair accessible. If you need auxiliary aids or services in order to attend, contact the Clark County ADA Office Relay (800) 833-6384 or 711, E-mail ADA@clark.wa.gov

HEARING COVERAGE:

Coverage of this evening's hearing may be cable-cast live on Clark/Vancouver television channel 23 or 21, on cable television systems. For replay dates and times, please check your local television guide or www.cvtv.org

Web Page at <http://www.clark.wa.gov/planning/commission.html>