

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

In the Matter of the Application of)	NO. PRJ-169176/LUP-84373
)	
)	
Landing at Vancouver, LLC)	Lexus at The Landing at Vancouver
)	
For Site Plan Approval and a)	FINDINGS, CONCLUSIONS, AND
Conditional Use Permit)	DECISIONS
_____)	

SUMMARY OF DECISIONS

The request for site plan approval and a conditional use permit to construct a two-story auto dealership with attached four-story parking garage, an outbuilding, and associated improvements is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

Allison Reynolds on behalf of the Landing at Vancouver LLC requested site plan approval and a conditional use permit to construct a two-story auto dealership with attached four-story parking garage, a one-story outbuilding for car washing and storage, and associated improvements. The subject property is located at 417 SE Olympia Drive, Vancouver, Washington.

Hearing Date:

The Vancouver Hearing Examiner conducted a virtual open record public hearing on the application on November 19, 2024. The record was held open through November 21, 2024 to allow for written public comment from members of the public who may have had difficulty joining the virtual hearing, with additional time arranged for responses by the parties. No post-hearing was submitted, and the record closed on November 19, 2024.

No in-person site visit was conducted, but the Examiner viewed the site on Google Maps.

Testimony:

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

- Keith Jones, Senior Planner, City of Vancouver
- Bryon Balogh, Senior Architect, LRS Architects
- Kelsy Laughnan, Project Manager, LRS Architects
- Eyrie DiMaggio, Landscape Architect, Dougherty Landscape Architects
- Austin Hahn, Civil Engineer, Allegro Civil Engineers

Allison Reynolds, Legal Counsel

Exhibits:

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

1. Staff Report, dated November 5, 2024
 - A. Application Form
 - B. Application Narrative
 - C. Public Comments
 - D. Transportation Fee Estimate, dated October 16, 2024
 - E. Approved Master Plan 2024
 - F. Proposed Development Plans
 - G. Notice of Application, Notice of Public Hearing
 - H. Stormwater Report
 - I. Geotechnical Report
 - J. Trip Generation and Distribution Report
2. Traffic Impact Fee Calculation Worksheet, dated November 5, 2024
3. Applicant PowerPoint Slides

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

FINDINGS

1. Allison Reynolds, on behalf of the Landing at Vancouver LLC (Applicant), requested site plan approval and a conditional use permit to construct a two-story auto dealership with attached four-story parking garage, a one-story outbuilding for car washing and storage, and associated improvements. The subject property is located at 417 SE Olympia Drive, Vancouver, Washington. *Exhibits 1, 1.A, 1.B, and 1.F.*
2. The application was submitted on June 11, 2024 and deemed fully complete on September 19, 2024. *Exhibit 1.G.*
3. The subject property is part of a multiple building mixed use master plan that was first approved in 2005 and last amended in October of 2024. The approved master plan provides for motor vehicle sales and an associated carwash of the same floor area proposed (253,142 square feet, including a rooftop parking area and the carwash building) in the location proposed. *Exhibits 1.E and 1.F; Bryon Balogh Testimony.*
4. A preliminary binding site plan to subdivide Phases 1 and 3B of the master plan into nine lots and five tracts was approved in October of 2024. The proposed car dealership would be located on Lot 7 of the binding site plan. Lot 7 is 225,716 square feet in area and has

width and depth dimensions exceeding 400 feet. *Exhibits 1, 1.E, and 1.F.*

5. The subject property is zoned Mixed Use (MX) and has a Comprehensive Plan designation of Commercial. *Exhibit 1.* The purpose of the MX zone is as follows:

Mixed use developments allow for placement of a mix of uses in a single building or integrated site of multiple buildings. Mixed use developments are intended to allow for efficient use of land and public services in an urban setting; encourage human interaction and sense of place; create safe, attractive and convenient environments; and increase development alternatives.

Vancouver Municipal Code (VMC) 20.430.060. Mixed use developments consisting of separate structures within a site or contiguous sites are allowed in the MX zone with approval of a multiple building mixed use master plan. *VMC 20.430.060.C(1).* The master plan governing the subject property was approved in 2005 and was last amended in October of 2024. *Exhibits 1 and 1.E.* Motor vehicle sales are allowed in the MX zone with conditional use permit approval, provided the criteria set forth in *VMC 20.430.030-1* are satisfied. These criteria require minimum site dimensions of 200 feet by 200 feet (or 100 feet by 100 feet if a corner lot); approval of circulation, access, and parking by the City transportation manager; location on a primary arterial with average traffic in excess of 10,000 vehicles per day; provision of employee/customer parking at a rate of one space plus an additional space per 5,000 square feet of lot area; and landscaping of all setbacks. No vehicle display is allowed in setback areas. *Exhibit 1; VMC Table 20.430.030-1.*

6. Conditional use permits (CUPs) are decided through a Type III process by the Hearing Examiner. *VMC 20.245.020; Exhibit 1.* The requested site plan review is a Type II application, typically decided by the Planning Official. *VMC 20.270.030.* However, the VMC consolidates multiple related applications for consideration in one proceeding subject to the process required for the highest level permit. As such, both items are reviewed using the Type III process and decided by the hearing examiner. *VMC 20.210.020.D.*

7. The subject property is surrounded on three sides (west, north, and east) by MX-zoned land that is within the same master plan as the subject property. Surrounding parcels include: vacant land designated as an open space tract per the preliminary binding site plan to the north of the project site; existing multifamily dwellings and a senior living facility to the northwest of the project site, across an existing private drive; vacant land designated for future development of a convenience store and associated fuel sales to the west of the project site; and vacant land designated for future development of another car dealership to the east of the project site, across future SE 139th Avenue. The southern site boundary abuts SE Mill Plain Boulevard, a principal arterial with an average traffic volume exceeding 10,000 vehicles per day. There is a Community Commercial-zoned shopping center, containing assorted commercial uses including auto-oriented (i.e., drive-through) uses, on the south side of SE Mill Plain Boulevard. *Exhibits 1, 1.B, and 1.E; Google Maps Site View.*

8. The primary car dealership building would consist of a showroom, vehicle service area, and storage for vehicle inventory in an attached garage. The garage would provide parking on four levels including the roof. The gross floor area of all uses within the structure would be 248,734 square feet. The proposed accessory building would be 4,408 square feet in area and would include a carwash, solid waste storage, and battery storage. The gross floor area of all structures combined would be 253,142 square feet. *Exhibit 1.F.*
9. The proposed carwash would be an accessory to the car dealership use; it would not be open to the public. The building would be approximately 17 feet tall and would be placed near the northern property line, with the carwash openings facing west and east and the access to the solid waste enclosure facing south. Although similar carwash facilities have been found to generate between 60 and 70 dBA at the facility entrance, the proposed carwash is not expected to adversely affect residential uses to the west and northwest due to the building orientation and the landscaping proposed. As evident from the master plan map and the landscape plan, the entrance to the car wash would not directly face a residential structure and there would be significant landscaping and the private drive between the car wash and the residential properties. *Exhibits 1.B, 1.E, and 1.F; Testimony of Austin Hahn and Keith Jones.*
10. The proposed hours of operation for vehicle sales would be 9:00 am to 7:00 pm, Monday through Saturday, and 10:00 am to 5:00 pm on Sunday. The hours of operation for other functions, including staff use of the car wash, would be from 7:00 am to 6:00 pm, Monday through Friday, and 8:00 am to 5:00 pm on Saturday; site uses other than vehicle sales would not be open on Sundays. Customers could line up for vehicle service as early as 6:45 am. *Exhibit 1.B.*
11. Pursuant to VMC Table 20.430.040-1, there are no minimum lot size, width, or depth requirements in the MX zone. The MX zone also has no minimum setback requirements unless the property abuts an R zone. The lot coverage may reach 100% , and the maximum building height varies depending on adjacent zoning and building setback. When the abutting zone is MX, the maximum building height is 35 feet, with an additional two feet of building height allowed for each additional foot the structure is set back from the property line, to a maximum building height of 75 feet. Otherwise, the maximum building height is the same as that of the abutting zone within a distance of the same number of feet from the property line. Beyond that, the height may be increased by two feet for each additional foot the structure is set back from the property line to a maximum height of 75 feet. In this case, the maximum building height in Community Commercial zone is 50 feet. At least 15% of the site must be landscaped. *VMC Table 20.430.040-1; Exhibit 1.*
12. The primary car dealership building would have a maximum height of 73 feet, and the accessory building would have a height of approximately 17 feet. Building setbacks were not made explicit on the site plan, nor was there discussion in the project narrative about compliance with setback requirements considering the proposed height of the primary building. Based on the plan scale, the primary car dealership building would be set back

approximately 50 feet from Mill Plain Boulevard. The building height would be variable with a maximum height of 73 feet, but it is not explicit on the project plans that the portions of the building exceeding 50 feet in height would be set back a sufficient distance from Mill Plain Boulevard to support the height. Planning Staff indicated that the setback standards are satisfied but provided limited analysis. *Exhibits 1, 1.B, and 1.F.* With respect to the distance from adjacent MX-zoned parcels within the binding site plan, the primary car dealership building would be set back approximately 100 feet from the west property line, approximately 80 feet from the east property line, and approximately 60 feet from the north property line at its closest point. *Exhibit 1.F.*

13. Consistent with the site mix standard of VMC 20.430.060.C(2)(b), with the proposed car dealership at least 20% of the combined gross floor area of the buildings within the master planned area would be devoted to residential uses and at least 20% would be devoted to nonresidential uses. As shown on the most recently amended master plan map, approximately 26% of the gross floor area of the master plan (408,467 square feet) would be devoted to residential uses (which residential uses have already been constructed) and approximately 74% of the gross floor area of the master plan (1,155,794 square feet) would be devoted to nonresidential uses. *Exhibits 1, 1.B, and 1.E.*
14. The functional and physical integration of land uses within the master plan, required by VMC 20.430.060.C(2)(c) and (d), was reviewed in conjunction with the most recent master plan amendment, which provides for a car dealership in the location proposed. The site plan for the proposed car dealership includes pedestrian paths connecting to the larger pedestrian path system proposed for the master plan. Pedestrian paths would connect the building to the private drive, SE 139th Avenue, and Mill Plain Boulevard, and would also connect the private drive to Mill Plain Boulevard and to SE 139th Avenue. Visitors or employees would be able to use the path system to access planned open space within the master plan, the restaurant use planned on a lot to the northeast of the site, or the convenience store planned to the west of the site. The proposed building would have modern design characteristics that would be consistent with the character of existing and future commercial development. As required by VMC 20.430.060.C(2)(d)(4), at least five percent of the master plan area would consist of open space, all of which would be adjacent to or across SE 139th Avenue from the project site. *Exhibits 1, 1.B, 1.E, and 1.F.*
15. Consistent with VMC 20.430.060.C(2)(e)(2), which requires a floor area ratio of at least 0.5, the proposed development would have a floor area ratio of 1.12. *Exhibits 1.B and 1.F.*
16. Consistent with VMC 20.430.060.C(2)(f)(1), less than 50% of the site frontage on SE Mill Plain Boulevard would be devoted to off-street parking. There would be no vehicular access from SE Mill Plain Boulevard. Most of the site frontage would be occupied by the proposed dealership building. Where parking is located along the street frontage, there would be landscaping between the parking lot and the property line. There would be a visibly identifiable entrance to the building facing SE Mill Plain

Boulevard. There would be no blank walls facing SE Mill Plain Boulevard. *Exhibits 1.B and 1.F.*

17. Pursuant to VMC Table 20.945.070-2, the motor vehicle sales use requires one parking space for each 1,000 square feet of gross floor area, plus four spaces, plus one space for each 10,000 square feet of open sales area in excess of 10,000 square feet. As applied to the proposed car dealership, which would have 75,290 square feet of showroom space and 100,362 square feet of open vehicle display, the total number of parking spaces required is 91. *Exhibits 1.B and 3.* Compliance with the standard of VMC Table 20.945.070-2 would ensure compliance with the standard of VMC 20.430.030-1, which requires employee/customer parking at a rate of one space plus an additional space per each 5,000 square feet of lot area (in this case, 46 spaces based on a lot area of 225,716). *Exhibit 1.F.*
18. The Applicant proposes 132 surface parking stalls and 341 garage parking stalls. The surface lot would provide 81 of the 91 required parking spaces and the remainder would be for car inventory. The roof of the garage would contain 10 of the required parking stalls (to be used by employees) and the remainder would be for car inventory. *Exhibit 1.B and 1.F; Byron Balogh Testimony.*
19. The City's tree conservation ordinance (VMC 20.770) requires a minimum tree density of 30 tree units per acre of site disturbance and requires that trees be retained where feasible. In this case, there is one 24-inch Douglas fir in the southeast corner of the site and three street trees in the adjacent right-of-way, all of which would be retained. Pursuant to VMC 20.770.070.B(4)(f), up to 50% of street trees in commercial, industrial, and multifamily projects may be credited toward the tree planting requirement. To meet the minimum tree density requirement of 156 tree units for the project site, the Applicant proposes to claim credit for 8.5 tree units for the existing Douglas fir and street trees, plant 137 tree units of new trees, and pay a fee in lieu of planting the remaining required trees. The City's urban forester commented that the proposed tree planting plan does not provide sufficient space between trees and recommended that planted trees be spaced at least 15 feet on center to accommodate their mature size. If respacing the trees results in fewer planted trees, the fee in lieu amount would be increased. *Exhibits 1 and 1.F; Testimony of Kelsy Laughnan and Bryon Balogh.*
20. Consistent with the landscape standards of VMC 20.925, the Applicant would ensure through tree retention and planting that there is one street tree per 30 feet of street frontage. The project would provide 10-foot L2 buffers along the subject property's street frontages and a five-foot L1 buffer along the western property line. Parking lot landscaping would also be provided. Overall, approximately 19% of the site would be landscaped, and, consistent with VMC 20.430.030-1, all setbacks would be landscaped and not contain displayed vehicles. The City's urban forester reviewed the Applicant's landscape plan and recommended conditions to ensure all applicable requirements are satisfied, including approved species of street trees. *Exhibits 1, 1.B, and 1.F.*
21. Consistent with the solid waste storage requirement of VMC 20.970.030.C(2)(d) (100

square feet plus four square feet per 1,000 square feet of gross floor area), the Applicant proposes two solid waste enclosures totaling 915 square feet: one 523 square foot enclosure, which would be part of the proposed outbuilding, for trash and recycling dumpsters, and a separate 392 square foot enclosure for a tire disposal dumpster. Excluding the area of the building devoted to storage of vehicle inventory, the required solid waste storage for the use is only 420 square feet. The 915 square feet provided would be more than double that amount. The enclosures, which would use walls for screening, would be located in the northern portion of the site in an area that would be accessible to collection vehicles. Planning Staff submitted that the proposal satisfies applicable solid waste requirements. *Exhibits 1, 1.B, and 1.F.*

22. Vehicular access to the car dealership would be from SE 139th Avenue, a non-residential local access street that would be developed in conjunction with the recently approved binding site plan, and the existing private driveway that runs along a portion of the northern site boundary. The private driveway is not fully improved along the subject property frontage, and Planning Staff recommended that frontage improvements including sidewalks and planting strips be installed as a condition of site plan approval. With respect to SE Mill Plain Boulevard, which runs along the southern site boundary, the street is improved along the subject property frontage, but Planning Staff recommended that project approval be conditioned to require the Applicant to repair any sidewalk deficiencies along the property frontage, ensuring ADA compliance, and restoring any utility trenching. *Exhibits 1 and 1.F; Google Maps Site View.*
23. Because the conditions of the master plan required payment of proportionate share fees and construction of transportation improvements, traffic analysis for the proposed development was limited to ensuring that the cumulative traffic impact would not exceed the assumptions of the master plan. Based on the rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition), the proposed car dealership is expected to generate 1,779 net new average daily trips, including 133 PM peak hour trips. This trip generation would be consistent with the traffic budget of the master plan. *Exhibits 1 and 1.J.*
24. Between SE 136th and SE 164th Avenues, SE Mill Plain Boulevard is a designated Category 1 concurrency corridor, which indicates that the corridor is operating at or above the City's adopted level of service standard. The traffic generated by the car dealership is not expected to cause the corridor to drop below the adopted level of service standard. *Exhibit 1.*
25. The subject property is located within the No. 268 Transportation Analysis Zone and would contribute new PM peak hour trips to several Transportation Management Zones, including corridors along Mill Plain Boulevard, 164th/162nd Avenues, Burton Road/28th Street, NE 18th Street, and 136th/137th Avenues. The Applicant would be required to pay concurrency modeling fees of \$1,500 prior to civil plan approval. *Exhibits 1 and 1.J.*
26. The project is subject to payment of transportation impact fees pursuant to VMC 20.915, which would be calculated at the time of building permit application. Based on the fee

schedule currently in effect, the estimated fee amount is \$348,248.15. *Exhibits 1 and 2; Keith Jones Testimony.*

27. Stormwater runoff would be managed on-site in accordance with City standards through use of infiltration trenches and dry wells. Oil-water separators would be used to separate vehicle maintenance hydrocarbons from the water to be infiltrated. Based on analysis by a geotechnical engineer, the soils on-site are suitable for infiltration. *Exhibits 1.F, 1.H, and 1.I.*
28. Water and sewer utilities are available to the site, and the project would connect to these utilities through stubs in SE 139th Avenue. In addition, a sewer main would be extended across the northern edge of the site as part of the binding site plan improvements. City Staff submitted that the Applicant has demonstrated that the City's water and sewer requirements can be satisfied. *Exhibits 1, 1.B, and 1.F.*
29. The subject property does not contain any geologic hazards, wetlands, or other water features. *Exhibit 1.*
30. An archaeological predetermination was prepared in 2005 in conjunction with the original master plan, which determined that no further survey was required. The Washington Department of Archaeology and Historic Preservation was notified of the most recent master plan amendment request and did not submit any comments. *Exhibit 1.*
31. State Environmental Policy Act (SEPA) environmental review was conducted on the recent master plan amendment, which included the proposed hotel. A final SEPA determination of non-significance (DNS) was issued for the master plan on July 9, 2024. Because the proposed car dealership is consistent with the master plan, no further SEPA review is required. *Exhibit 1; Keith Jones Testimony.*
32. Notice of application and public hearing was issued on September 25, 2024. *Exhibits 1 and 1.G.* There was no public comment on the application. *Exhibits 1 and 1.C.*
33. Having considered all testimony and documents submitted, Planning Staff recommended approval of the conditional use permit and site plan subject to the conditions detailed in the staff report. *Exhibit 1; Keith Jones Testimony.* The Applicant waived objection to the recommended conditions of approval. *Byron Balogh Testimony.*

CONCLUSIONS

Jurisdiction:

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

Conditional Use Criteria for Review:

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

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

Site Plan Criteria for Review:

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

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

Conclusions Based on Findings:

1. As conditioned, the criteria for approval of a conditional use permit are satisfied.
 - a. The site size and dimensions provide adequate area for the use. The site dimensions exceed the minimum required by VMC 20.430.030-1. The site provides sufficient area to accommodate the use while providing building setbacks, parking, landscaping, and solid waste storage that meet or exceed minimum code requirements. *Findings 11, 12, 17, 18, 19, 20, and 21.*
 - b. The impacts of the use would be accommodated considering size, shape, location, topography, and natural features. The location of the use within a master planned development and adjacent to existing and future commercial uses to the west, east, and south minimizes the potential for adverse impacts. The proposed development is consistent with the master plan. There are no topographic or other natural features

- that would be affected by the development. There are no known cultural resources that would be affected by the development. *Findings 3, 4, 7, 29, 30, and 31.*
- c. With proposed improvements and as conditioned, required public facilities have adequate capacity to serve the development. *Findings 23, 24, 25, 26, 27, 28, 31, and 33.*
 - d. As conditioned, all applicable MX and other development standards would be satisfied. The use would be located on a sufficiently large lot on a principal arterial, and setbacks would be landscaped and not used for vehicle storage. More than 15% of the site would be landscaped. The development plan is consistent with the approved master plan, which provides for a building mix that is consistent with VMC 20.430.060.C(2)(b), and integrates the land uses as required by VMC 20.430.060.C(2)(c) and (d). The development plan provides connections to the walkway system contemplated within the larger master plan, provides for a floor area ratio exceeding 0.5, and satisfies street frontage requirements. The proposed parking would meet the requirements of VMC 20.430 and VMC 20.945. The requirements of VMC 20.770 would be satisfied by tree retention, tree planting, and paying fees in lieu of planting. The site would be landscaped consistent with applicable standards. Sufficient area would be provided for solid waste storage. Stormwater and utility infrastructure would be installed consistent with City standards. An additional condition is needed to ensure that the proposed building height and setbacks are reviewed for consistency with VMC 20.430.040-1. *Findings 4, 5, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 27, 28, and 33.*
 - e. Identified impacts on adjacent properties, surrounding uses, and public facilities have been adequately mitigated. Although significant impacts to adjacent residential uses are not anticipated, potential impacts associated with the carwash would be mitigated through building orientation, landscaping, and the reasonable hours of operation proposed. With respect to public facilities, the conditions of approval address fire department requirements and require sidewalk repair and utility trenching restoration as needed along Mill Plain Boulevard. The traffic generated by the proposal would be within the scope of what was reviewed through the master plan process. The project would be subject to payment of traffic impact fees. *Findings 7, 9, 10, 19, 20, 22, 23, 24, 25, 26, 27, 28, and 33.*
2. With conditions of approval, the criteria for site plan approval are satisfied.
- a. As described in more detail in Conclusion 1.d, the proposal as conditioned complies with applicable design and development standards. *Findings 4, 5, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 27, 28, and 33.*
 - b. With construction of proposed improvements and as conditioned, there would be adequate public facilities/services to serve the use. *Findings 23, 24, 25, 26, 27, 28, 31, and 33.*

DECISIONS

Based on the preceding findings and conclusions, the request for site plan approval and a conditional use permit to construct a two-story auto dealership with attached four-story parking garage, an outbuilding, and associated improvements as detailed herein at 417 SE Olympia Drive is **GRANTED** subject to the following conditions.

General

1. Vehicle parking including for sale inventory display shall not be parked or displayed within the landscaping areas and pedestrian pathways as identified on the landscaping plans, sheets LA 1-3 dated July 26, 2024, prepared by LRS Architects. Any changes shall be approved by the City.

Prior to Civil Plan Approval

2. Submit a revised site plan clearly demonstrating compliance with applicable building height maximum standards in VMC 20.430.040-1.
3. Provide at least one accessible EV parking space.
4. Show all three categories of EV parking spaces required on the site plan.
5. Clearly mark the no vehicle parking or display area on the site plan.
6. Pay concurrency modeling fees totaling \$1,500.
7. Show how the project complies with tree density. Any tree units not planted on-site shall be paid into the city tree account at a rate of \$850 per tree.
8. Space on-site trees at least 15 feet on center to provide root space for the tree to mature. VMC 20.770.080.D: *Spacing of trees to be planted shall be such that it provides for the eventual mature size of the trees.* Once trees are appropriately spaced, some on-site trees could be paid into the City tree account at a rate of \$850 per tree unit.
9. Buffer trees are required along all property lines. Plant one tree per 30 feet selected from the approved CDD Tree Unit list along all property lines.
10. Street trees are required for all projects fronting on a public street or private street. Street trees are not viewed as sight obstructions; and can be located in sight distance triangles. Street trees shall be between 20-30 feet on center depending on conflicts such as with streetlights. Street trees shall not be more than 30 feet on center. Street trees shall not be closer than 15 feet to streetlights. Minimum width between curb and detached sidewalk is four feet. Root barriers are required per City standard. All street trees must be at least two inches in size or greater and have high heads, which means no lower branches. Any deviation shall be approved by the city's urban forester. Street trees along SE 139th Avenue shall be either: Chinese Pistache (*Pistacia chinensis*), Amur Maackia (*Maackia amurensis*), or City Sprite Zelkova (*Zelkova serrata*, 'City Sprite'). Street trees along SE

Mill Plain Boulevard shall be Green Vase Zelkova or Green Forest Oak planted 30 feet on center.

11. Complete the sanitary sewer design on the civil drawings. Prepare according to Vancouver's current Public Sanitary Sewer Design and Construction Standards. Install new six-inch private service laterals/building sewers as required. Size and include outside oil-water separators with project-specific details. Address redline comments and submit the final design for civil plan approval. Note: the civil plans for this project cannot be approved until the civil plans associated with the binding site plan have been approved.
12. Add a note on the water utility pages as follows: Underground fire sprinkler supply mains shall be installed only by contractors in compliance with WAC 212-80 and endorsed in accordance with VMC 16.04.095 under separate permit.
13. Provide a fire response plan including the following:
 - Fire hydrant locations related to the project.
 - Fire lane marking locations and details.
 - Aerial apparatus location along one side of the building shown as hashed area (where applicable).
 - Vehicle gate locations (where applicable).
 - Emergency vehicle tracks.
 - Fire Department Connection location.
 - Sprinkler riser location(s).
 - Fire-pump location (where applicable).
 - Fire alarm panel room location.
 - Fire Command Center location or Fire Control Room (where applicable).
 - Electrical and gas utility control room location(s).
 - Electrical meter and gas meter location(s).
 - Generator location.
 - Mechanical room location(s).
 - Knox-Box location (at main entry, or at fire protection equipment exterior door where adjacent to a fire lane).
 - Standpipes and floor control valves.
 - Location of elevator and stairwell shafts.
 - Roof access door/hatch location (where standpipes and sprinkler floor control valves are required, this shaft shall be the roof access shaft).

- Fire access doors (where applicable).
- Emergency or standby power generator location (where applicable).
- Hazardous materials locations (if known or where applicable).
- Fuel dispensing locations.
- Anticipated hazards to emergency operations (overhead power lines, slopes/cliffs or hazardous processes).
- Presence of car stackers (where applicable).
- Hash line the required fire rated walls.

Prior to Combustible Construction

14. All fire hydrants for emergency use shall be established and maintained clear for emergency use.
15. Fire apparatus access roads shall be established.

During Construction

16. Secure construction permits and schedule and attend a pre-construction meeting. Construct the sewer facilities as shown on the approved civil plans. Satisfy construction services testing and inspection requirements and secure construction acceptance. Satisfy Building (plumbing) and Operations oil-water separator inspections.
17. Satisfy submittal and other requirements itemized in the Notification of Civil Plan Approval and secure final civil project acceptance.
18. Temporary address signage shall be visible and legible from the street fronting the property for emergency response during construction.
19. Fire hydrants shall not be obstructed in any manner.
20. Fire apparatus access roads shall be maintained clear for emergency response.
21. FDC/Standpipes shall be provided and accessible during construction, if applicable.
22. Fire Extinguishers and no smoking signs shall be provided during construction.

Prior to Issuance of Certificate of Occupancy

23. Provide the following improvements to SE Mill Plain Boulevard, per City of Vancouver standards:
 - The Applicant must repair the sidewalk deficiencies along the project frontage to ensure ADA compliance. For questions regarding the required repairs, contact the Operations Department at sidewalks@cityofvancouver.us.
 - Utility trenching shall be restored per T05-04A&B and T05-06A&B (CDF). Asphalt

restoration shall meet T05-01B and T05-07. A single continuous width restoration is required.

24. Provide the following improvements to SE 139th Avenue, per City of Vancouver standards:
 - Construct site access driveways, unless they were installed with the overall street construction associated with the binding site plan.
25. Provide the following improvements to the private drive, per City of Vancouver standards:
 - Install City of Vancouver standard frontage improvements including a driveway approach, six-foot detached sidewalk, and six-foot planting strip.
 - Utility trenching shall be restored per T05-04A&B and T05-05. Asphalt restoration shall meet T05-01B and T05-07. A single continuous width restoration is required.
26. Record a tree maintenance covenant.
27. Pay application fees and secure sewer connection permits. Connect new building sewers according to the plumbing code.
28. A licensed landscape architect shall provide a certificate verifying that the landscaping has been installed per the City-approved construction documents. Please submit to Keith Jones at keith.jones@cityofvancouver.us.

Decided December 9, 2024.

By:



Sharon A. Rice
City of Vancouver Hearing Examiner

Note:

The hearing examiner's decision may be appealed to the Vancouver City Council within 14 calendar days after the date the examiner's decision is distributed. Appeals must be made in writing and be received within this time period. The letter of appeal shall state the case number designated by the city and the name of the applicant, name and signature of each petitioner, a statement showing that each petitioner is entitled to file the appeal under VMC Chapter 20.210.130.B, the specific aspect(s) of the decision being appealed, the reasons each aspect is in

error as a matter of fact or law, and the evidence relied upon to prove the error (VMC 20.210.130.A).

A fee of \$2,396.00 must accompany the appeal. However, if the aggrieved party is a recognized neighborhood association, the fee assessed is \$181.00. The association must demonstrate at the time of appeal submittal that the decision to appeal was made pursuant to association bylaws.

Due to the limited days the permit center is open for walk-in assistance, the appeal request shall be emailed to eplans@cityofvancouver.us as well as to the case manager's e-mail address below and the appeal fee electronically paid to the City of Vancouver.

For questions or additional information, you may contact the case manager by telephone at (360) 487-7887, or by e-mail at keith.jones@cityofvancouver.us.