



**Community Development Department**  
 Building | Planning | Code Enforcement  
 P.O. Box 9, 230 Davidson Avenue  
 (360) 225-7299, www.ci.woodland.wa.us

**Notice of Decision & SEPA DNS**  
**Woodland Apartments – 1776 N. Goerig Street**  
**Site Plan Review & SEPA DNS**

Land Use Application Nos.:	SPR-23-001 (Site Plan Review Type II) SEP-23-001 (SEPA) VAR-23-001 (Variance)
Applicant & Property Owner:	Goerig St. LLC C/O Aiden Willis 6701 NE 42 <sup>nd</sup> Street Vancouver, WA 98661
Site Location:	1776 N. Goerig Street Woodland, WA 98674
Parcel No. & Size:	50630 (0.9 Acres)
Zoning Designation:	HDR, High-Density Residential
Date Application Received:	January 18 <sup>th</sup> , 2023
Notice of Complete Application Issued:	January 30 <sup>th</sup> , 2023
Notice of Application & Likely DNS issued:	February 1 <sup>st</sup> , 2023
Comment Period & SEPA Appeal Period Ended:	February 22 <sup>nd</sup> , 2023
Notice of Decision Issued:	March 22 <sup>nd</sup> , 2023
DRC Decision	Approve with Conditions

**I. DESCRIPTION OF REQUEST**

Applicant proposes to construct two 3-story apartment buildings on an existing 0.89 acre lot in the City of Woodland’s high-density residential zoning district. Building A will be a 24-unit building with a mix of 1, 2, and 3-bedroom units while Building B will consist of a total of six 2-bedroom units.

To accommodate this development, the applicant has requested a minor variance to the required setbacks identified under WMC 17.20.070(D). The minor variance, if approved, would permit modified setbacks of 14 feet in the front, 17.5 feet in the rear, and 3.5 feet for the

interior side yard. Applicant has provided a variance request that has identified the irregular shape of the subject parcel, and the existing seawall to the rear of the property as justification for the variance.

## II. FINDINGS OF FACT

### Development impact Fees – School District | WMC 3.40

**Finding 1:** School District Impact Fees will be required. School District impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.40.

The current fee schedule calls for school district impact fees to be paid at building permit issuance equal to \$5,900 per multi-family dwelling unit of two or more units, and \$2,000 per studio or one bedroom unit.

Proposed new development has a total of 30 new units, of which 9 will be one bedroom units, 18 will be two bedroom apartments, and three will be three bedroom apartments. As such, School Impact Fees would be \$2,000 per one bedroom unit X 9 units, plus \$5,900 per two and three-bedroom unit x 21 units, which will be a total School District Impact Fee of \$141,900. *See Conditions #1.a.i and 2.*

*NOTE: Impact Fees Subject to change.*

### Development impact Fees – Fire, Parks and Recreation | WMC 3.41

**Finding 2:** Fire Impact Fees: Fire impact Fees will be required. Fire impact Fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.41.

The current fee schedule calls for fire impact fees to be paid at building permit issuance equal to \$1,426 per multi-family dwelling unit.  $\$1,426 \text{ per unit} * 30 \text{ units} = 42,780$  dollars. *See Conditions #1.b.i and 2*

*NOTE: Impact Fees Subject to change.*

**Finding 3:** Parks and Recreation impact Fees: Parks and Recreation impact Fees will be required. Parks and recreation impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.41.

The current fee schedule calls for Parks and Recreation impact Fees to be paid at building permit issuance equal to \$831 per multi-family dwelling unit.  $\$831 \text{ per unit} * 30 \text{ units} = 24,930$  dollars. *See Conditions #1.c.i and 2.*

*NOTE: Impact Fees Subject to change.*

### **Development impact Fees - Transportation | WMC 3.42**

**Finding 4:** Transportation Impact Fees, or mitigation provided in lieu of charged Transportation impact fees approved by the City of Woodland Public Works Director, will be required. Transportation fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.42.

The current fee schedule calls for transportation impact fees to be paid at building permit issuance equal to \$519.56 per unit.  $\$519.56 \text{ per unit} * 30 \text{ units} = \$15,586.80$ . See *Conditions # 1.d.i, 1.d.ii and 2.*

*NOTE: Impact Fees Subject to change.*

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### **Streets and Sidewalks | WMC Title 12 | Ryan Walters, Gibbs & Olson**

**Finding 5:** Frontage improvements along E Scott Avenue will require construction of half-street improvements, curb and gutter, detached sidewalk, landscaping, and street lighting consistent with City of Woodland Engineering Standards (Standards) and applicable Woodland Municipal Code (WMC). Bioretention can be installed within the planter strips along E Scott Avenue. Please present vegetation options within these areas that require the least amount of City maintenance. See *Condition #3.*

**Finding 5A:** Frontage improvements along N Goerig Street will require construction of full-width street improvements in accordance with City of Woodland Standard Detail T-27 "Local Access Road", except that the road shall be designed to be superelevated to drain east to west with curb and gutter, attached sidewalk, landscaping, and street lighting consistent with the Standards and WMC. Bioretention can be installed on the west side frontage improvements. A condition is added that all improvements in the public right-of-way shall be completed in accordance with the Standards and WMC. Additionally, dedication of Right-of-Way shall comply with the Standards and WMC. See *Condition #3.*

**Finding 5B:** The requirement for full-width street improvements on N Goerig Street will allow for stormwater treatment and conveyance that mitigates impacts to the CDID No. 2 seawall located on the east side of N Goerig Street and eliminates the requirement to address impacts through the United States Army Corp. of Engineers (USACE) Section 408 process. Because the City does not require full-width street improvements of new developments, the Transportation Impact Fee for this development may be credited towards these construction costs. See *Condition #1.d.ii*

**Finding 6:** No street trees have been identified within either the North Goerig or East Scott right-of-way. Street trees along both frontages will be required to be identified by the applicant on the final landscaping plan and installed by the applicant and/or their designee. Applicant is encouraged to review the permitted street tree list and discuss proposed street tree(s) prior to submitting final landscaping plan as the City is currently in the process of reviewing and updating the list. *See Conditions #4.*

**Conclusion:** As conditioned, the proposal can comply with the development standards

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### **Water and Sewage | WMC Title 13 | Ryan Walters, Gibbs & Olson**

**Finding 7:** Existing 12-inch water is available to tie into on E Scott Avenue and existing 10-inch water and 12-inch sewer is available to tie into on N Goerig Street. The applicant has proposed to extend 8-inch water on-site with 1-inch and 2-inch domestic water service, and 2-inch fire service lines from E Scott Avenue. The applicant has proposed to extend 6-inch sewer on-site from N Goerig Street. The layout of these utilities as shown in the current engineering plans do not meet the requirements of the Standards and WMC. This is addressed in individual sheet comments at the end of this document. Backflow devices must be installed on the domestic and fire supply lines to the building. If irrigation is desired, it is recommended to install a separate water meter and backflow device to comply with backflow and cross-connection requirements of WMC 13.28, as well as all other applicable WMC. *See Conditions #5.a and #5.b.*

**Finding 8:** The fire mains shall be public mains with a 15 ft wide easement to the City. The layout of these utilities as shown in the current engineering plans do not meet the requirements of the Standards and WMC. Modify the proposed 10-foot utility easement to 15-feet. *See Condition #5.c.*

**Finding 9:** Water and Sewer Assessment Fees: Connection charges and assessments for water and sewer will be assessed in accordance with the applicable rate schedule. Fees for utility connection are due at time of connection. *See Condition #5.d.*

**Conclusion:** As conditioned, the project can comply with this standard.

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### **Flood Damage Prevention | WMC 14.40**

Property is partially located within the floodplain as determined by the FEMA Flood Insurance Rate Maps and shall be required to be compliant with WMC Chapter 14.40 – Flood Damage Protection.

**Finding 10:** A flood development permit shall be required prior to the construction and/or development within any area of special flood hazard established herein. The permit shall be for all structures including manufactured homes, fill and grading work, and/or other development activities.

**Finding 11:** Applicant shall be responsible for applying for a flood development permit concurrently, or prior to, application for a building permit. The following information and documentation is required:

- Elevation in relation to mean sea level, of the lowest floor of all structures;
- Elevation in relation to mean sea level to which any structure has been floodproofed;
- Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 14.40.050(B)(2); and
- Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

A condition of approval has been added to permit proposed construction through the floodplain permit and provide the above documentation. *See Condition #8.*

**Finding 12:** Applicant is responsible for ensuring compliance with the general standards of WMC 14.40.050(A)(1-5). This includes requirements for anchoring, construction materials and methods, and utilities reviewed during the building permit review process. *See Condition #9.*

In addition to the general requirements and standards outlined within WMC 14.40.050(A)(1-5), applicant is required to comply with the specific standards for residential construction as outlined within WMC 14.40.040(B)(1):

*New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot above the base flood elevation.*

**Finding 13:** Provided grading plan indicates that the applicant is proposing to raise the final finished elevation (FFE) of the proposed "Building A" to between 39 and 42 feet, and the final finished elevations of "Building B" to 37 feet.

**Finding 14:** Final floodplain approval and review shall only be issued following application for a floodplain permit, however based on preliminary assessment of the proposed grading plan compared with the FEMA Flood Insurance Rate Map, these proposed final finish elevations are likely to be adequate per code and the project can meet this standard as proposed. *See Condition #8.*

*Per WMC 14.40.050(B)(1)(b), fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs*

for meeting this requirement must be either certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
- ii. The bottom of all openings shall be no higher than one foot above grade;
- iii. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

**Finding 15:** No fully enclosed areas are proposed below the lowest floor.

**Conclusion:** As conditioned, the proposed development can comply with these standards.

### Critical Areas Regulation | WMC 15.08

**Finding 16:** No critical areas and/or habitats have been identified as being impacted by proposed project. No critical areas permit is required.

**Conclusion:** The proposed development can comply with this standard.

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### Erosion Control | WMC 15.10 | *Ryan Walters, Gibbs & Olson*

**Finding 17:** Applicants are required to install and maintain erosion control measures per the Best Management Practices as outlined in the 2012 Stormwater Management Manual for Western Washington during site excavations and grading. An NPDES permit from the Department of Ecology is required where more than one acre is being disturbed. A fill and grade permit is required. *See Conditions 6.a and 6.b.*

**Conclusion:** As conditioned, the proposal can comply with City standards.

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### Stormwater Management | WMC 15.12 | *Ryan Walters, Gibbs & Olson*

**Finding 18:** A condition of approval is added to submit a final stormwater TIR that addresses the following concerns:

- Per Woodland Municipal Code 15.12, the City of Woodland follows the 1992 Puget Sound Manual. If the applicant chooses to design per current Ecology standards, this meets or exceeds City requirements and is acceptable.
- For the preliminary design, infiltration data was provided. Infiltration varies from 92 inches per hour to 3 inches per hour. For final design, provide a complete geotechnical report including a map of the testing locations. In additions, the seasonal high ground water must be determined and the vertical separation of

the bioretention facilities and the underground infiltration trenches to the seasonal high groundwater, evaluated for compliance. *See Condition # 7.a*

- Water quality flow rates into the StormFilter catch basin need to be included in the MGS modeling report. *See Condition # 7.b.*
- The MGS modeling report lists the Ksat Safety Factor as “none”. For bioretention facilities, a safety factor must be applied to the modeling. Per BMP T7.30:
  - a. If the contributing area is greater than 5,000 sf of PGIS or 10,000 sf of impervious surface or 3/4 acres of lawn and landscape, use 4 as the Ksat safety factor;
  - b. If the contributing area is less than all the above, use 2 as the Ksat safety factor.

Revise the modeling for the final TIR to include the appropriate Ksat safety factor. *See Condition # 7.c.*

- The bioretention facilities are located in the City of Woodland’s right of way. The TIR states all stormwater facilities will be privately owned, operated, and maintained. *See Condition # 7.d.*
- The bioretention facilities and underground infiltration trenches need to provide an emergency overflow route. *See Condition # 7.e.*

A condition of approval has been added that a final stormwater TIR be provided addressing these comments. *See Condition #7.*

**Conclusion:** As conditioned, the proposal can comply with the development standards.

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### Permitted Uses | WMC 17.36.020

**Finding 19:** Multi-family dwellings including duplexes, apartments, condominiums, townhouses, or other group of dwellings in accordance with the density standards set forth are permitted uses within the medium density residential zoning district.

**Conclusion:** The proposed use is a permitted use in this zone.

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### Setbacks | WMC 17.36.070

The intent of setbacks in the MDR zoning district is to establish appropriately located areas for multi-family living at a broad range of dwelling unit densities consistent with the Comprehensive plan.

Per WMC 17.20.070(D)(1), buildings and/or uses must comply with a setback of 20 feet from the front lot line of the property.

**Finding 20:** The proposed building is set back approximately 14 ft from East Scott Avenue. *See Attachment A – Site Plan.*

**Finding 21:** Applicant has acknowledged non-compliance with setback regulations and has applied for a 30% variance to accommodate the proposed development. Approval of the site plan as presented is contingent on approval of the minor variance application. *See variance section below.*

Per WMC 17.20.070(D)(3), buildings and/or uses must comply with a setback of 5 feet from any interior side lot line of the property.

**Finding 22:** The proposed building is set back approximately 3.5 ft from all neighboring properties. *See Attachment A – Site Plan.*

**Finding 23:** Applicant has acknowledged non-compliance with setback regulations and has applied for a 30% variance to accommodate the proposed development. Approval of the site plan as presented is contingent on approval of the minor variance application. *See variance section below.*

Per WMC 17.20.070(D)(3), buildings and/or uses must comply with a setback of 5 feet from the rear lot line of the property.

**Finding 24:** The proposed building is set back approximately 17.5 ft from the rear property line. *See Attachment A – Site Plan.*

**Finding 25:** Applicant has acknowledged non-compliance with setback regulations and has applied for a 30% variance to accommodate the proposed development. Approval of the site plan as presented is contingent on approval of the minor variance application. *See variance section below.*

**Conclusion:** As proposed, the project can comply with this standard with an approved minor variance to the setback requirements.

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## **Building Height | WMC 17.36.080**

The maximum height, measured from grade to the average height of the highest gable of a pitch or hipped roof, is 35 feet in the medium density residential zoning district per WMC 17.20.070(f).

**Finding 26:** Preliminary calculations estimate that “Building A” has a height of 34.04 feet while “Building B” has a height of 35.61 feet. A condition of approval has been added



that the applicant shall provide final elevations demonstrating clearly that the proposed buildings will both be under 35 feet tall. *See Condition # 10.a.*

**Conclusion:** As conditioned, the project can comply with this standard.

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**Minimum Lot Area per Dwelling Unit (Density) | WMC 17.20.070**

**Finding 27:** Per WMC 17.20.070(B), properties within High Density Residential districts have a maximum density of 1,240 SF per dwelling unit.

**Finding 28:** Proposed development of 30 new units. At 1,240 SF per dwelling unit, this would require a minimum lot area of approximately 37,200 SF.

**Finding 29:** The subject property is a total of 0.89 acres in size (aprox. 38,768.4 SF), which complies with this standard.

**Conclusion:** As proposed, the development can comply with this standard.

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**Lot Coverage | WMC 17.20.070(G)**

**Finding 30:** Lot coverage refers to the maximum allowable coverage of a lot by buildings and structures as established within WMC 17.08.420. Maximum lot coverage within High Density Residential (HDR) zoning district is 45%.

**Finding 31:** Outside of Low-Density Residential districts, lot coverage is calculated by the area of all buildings and structures divided by total lot area, not including driveways and other paved surfaces.

**Finding 32:** Proposed new building has an area of 7,816 SF of building coverage divided by the total area of 38,768.4 SF equals a lot coverage of approximately 20%, which complies with WMC 17.20.070.

**Conclusion:** The proposed development can comply with this standard.

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**Performance Standards | WMC 17.20.090**

**Finding 33: Exterior Mechanical Devices:** Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps, and heaters and all other mechanical devices shall be screened from surrounding properties and streets and shall be operated in such a manner that they do not disturb the peace.

**Finding 34:** Plans submitted do not specify any mechanical devices that would potentially be visible from surrounding properties and streets. If any mechanical devices

are placed on the premises the must be screened and operated without disturbing the peace. Placement and screening shall be reviewed as part of the final engineering approval process. *See conditions #10.c and #12.b.*

**Finding 35: Landscaping Required:** As outlined under WMC 17.20.090(B), all MDR and HDR zones shall provide landscaping and open space. All required landscaping shall be permanently maintained in a neat and orderly condition.

**Finding 36:** For new developments, a landscape plan shall be submitted for review by the city's development review committee. The final landscape plan must show:

- Location of all proposed vegetation;
- The common and botanical name of all proposed vegetation;
- The initial planting size (height or gallon) and the mature planting size; and
- Proposed methods of irrigation, if any.

**Finding 37:** A preliminary landscape plan has been provided for new development with the Site Plan Review application. Location of proposed vegetation is provided, as well as the rough size of proposed vegetation, but the final landscape plan will require the identification of all proposed vegetation (using both common and botanical names).

A total of 9,592 SF of landscaping is identified on the preliminary landscape plan, which is approximately 26% of the total site, including landscaping within the required setbacks, parking lot, and general landscaping. Per the provided landscaping plan, approximately 15% of the parking lot area will be landscaping, including parking lot trees planted at a ration of one tree for every five parking spaces.

Proposed landscaping is diversified and includes trees, shrubs, and groundcover appropriate for the Pacific Northwest. As proposed, the landscaping plan generally meets the intent of this code section.

A final landscaping plan is required to be submitted that identifies proposed vegetation (trees and shrubs) and proposed methods of irrigation associated with proposed development. *See conditions #4.*

**Finding 38: Yard Projections:** WMC 17.20.090(E) states that every required front, rear, and side yards shall be open and unobstructed from the ground to the sky unless otherwise provided for. *See condition #11.c.*

**Finding 39: Trash Receptacles:** Except on trash pickup days, all trash receptacles must be screened from neighboring properties and public rights-of-way by an opaque visual barrier no lower than the maximum height of the receptacles. Recycling bins must be made available and be located within a close proximity to any trash receptacles and screened as outline above.

.15 cu. Yds. of garbage capacity per dwelling unit per week is recommended. Garbage capacity should equal at least 4.5 cu Yds, assuming weekly pick up.

.15 cu. Yds of recycling capacity per dwelling unit per week is recommended. Recycling capacity should equal at least 4.5 cu Yds, assuming weekly pick up.

A condition has been added that requires plans showing proposed screening measures for all trash and recycling enclosures on the site shall be provided to the City. *See condition #13.*

**Finding 40:** A new trash enclosure is indicated on the preliminary site plan. A condition of approval is added to provide specifications regarding the container and enclosure specifications including capacity and dimensions of all provided receptacles, as well as dimensions and plans for proposed new enclosure. *See Condition #13.*

**Finding 41: Site Distance Requirements:** Per WMC 17.20.070(L)(2), any intersection between a street and a private driveway, a triangular area extending twenty feet along the edge of the driveway and ten feet along the shoulder or curb line of the improved portion of the right-of-way shall be provided free of obstruction.

**Finding 42:** Applicant is responsible for complying with this standard. Several trees appear to potentially obstruct the required site distance along the driveway and may be required to be removed and/or relocated. A condition of approval has been added that the final site plan provided with civil review demonstrates compliance with this standard. *See Condition #11.a.*

**Conclusion:** As conditioned, the proposed development can comply with these standards.

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## Off-Street Parking | WMC Chapter 17.56

Number of parking spaces required are set by WMC 17.56.

### Required Spaces

WMC 17.56.050(E)(2) requires one and a half parking spaces to be provided for every one- or two-bedroom unit, and two parking spaces for every 3 - or more bedroom unit.

**Finding 43:** Proposal includes 27 one and two-bedroom units. With 1.5 parking spaces per one and/or two-bedroom unit, a total of 38 parking spaces will be required to be provided on-site to accommodate this development.

**Finding 44:** Proposal includes 3 three-bedroom units. With 2 parking space per every three-bedroom unit for a total of 6 additional parking spaces.

**Finding 45:** Per code, a total of 44 parking spaces are required alongside this development as proposed. The applicant has proposed a total of 45 parking spaces, which meets this standard.

Parking spaces are required to have a minimum area of 180 sq ft and be 9 ft wide per WMC 17.56.060.

**Finding 46:** Provided site plan identifies that each proposed parking space will be between 9 feet wide, with a length of 20 feet. These dimension(s) meet the minimum standards, and a condition of approval has been added that the applicant shall make the required modifications to the site plan to meet this code section.

**Conclusion:** The proposed development can comply with this standard.

*NOTE: ADA and Electrical Charging parking spaces are assessed at the time of building permit review, and notes from Debi Cler with Townzen & Associates has been included in this report addressing those topics.*

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### Performance Standards - General | WMC 17.48

**Finding 47:** The requirements of this section cover hazards and nuisances including sound level, vibration, air emissions, smoke, dust, odors, industrial wastes, fire hazards, heat, glare, radioactivity and radio transmitters. The applicant will be responsible for ensuring that their operation is complying with all performance standards. If x-ray equipment is to be installed, the building plans will need to clearly define this area so the Building Official can ensure the building code can be met. *See Condition #12.f.*

**Conclusion:** The proposal can comply with the development standards.

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### Minor Variance

**Finding 48:** Applicant is requesting a minor variance to the required setbacks for this property in order to maximize density in a High-Density Residential zoning district.

**Finding 49:** Proposed variance would permit reduced setbacks as follows:

- Front: 14ft (30%)
- Rear: 17.5ft (30%)
- Interior Side Yard: 3.5ft (30%)

**Finding 50:** Approval criteria for a minor variance to the setbacks in the High-Density Residential zoning district are found in WMC 17.81.180 (B) and WMC 17.81.020(B). It is the applicant's responsibility to demonstrate how the project meets the criteria outlined below:

*Per WMC 17.81.180 (B) (1), No variance shall be approved by the DRC which will allow an increase in the number of dwelling units on a parcel greater than that permitted by the applicable zoning district, or which will permit the reduction in area of any lot created after the adoption of the ordinance codified in this chapter;*

**Finding 51:** Per WMC 17.20.070(B), the High-Density Residential zoning district has a maximum development density of 35 units per net acre.

**Finding 52:** The subject property has a total area of 0.89 acres in total, and at a maximum development density of 35 UPA, the site can handle a maximum of 31 total units (0.89 acres x 35 UPA = 31.15 total permitted units).

**Conclusion:** The proposal meets this criterion.

*Per WMC 17.81.180 (B) (2), All major variance criteria outlined in WMC 17.81.020.B shall be met, except where a variance is proposed to side or rear setback standards applicable to the light industrial (I-1) or heavy industrial (I-2) zoning districts. In these cases, the DRC shall consider criteria 2—5 outlined in WMC 17.81.020.B. The DRC shall also consider whether or not the requested minor variance is necessary due to the unique physical characteristics of the existing site configuration, building, and/or use and consistent with the intent of applicable standard to which the minor variance is sought.*

**Finding 53:** The requested variance is to the setbacks on a high density residential development, and shall be required to meet all major variance criteria outlined in WMC 17.81.020 (B).

*Per WMC 17.81.020 (B) (1), the requested variance must be necessary because of special circumstances or conditions relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use, rights, and privileges, permitted to other properties in the vicinity and in the zone in which the subject property is located.*

**Finding 54:** The subject parcel is octagonal in shape, with three interior side property lines. Furthermore, a flood barrier wall runs parallel to the rear property line, which limits the use and enjoyment of much of the rear yard and the ability to develop the property to its full potential. The flood wall furthermore limits access to North Goerig street, which has forced the applicant to limit their design options.

**Finding 55:** Primarily, the variance permits the applicant to construct nine (9) parking spaces required to meet the City's minimum parking requirements, as well as construct balconies to the rear of 'building a' and side of 'building b,' however a portion of 'Building B' in the Southeast corner of the lot, along with the northernmost side of 'Building A' will be constructed within what would be the side yard(s) of the property.

**Finding 56:** The requested variance to the setback(s) would allow proposed development to maximize housing density within a High-Density Residential district. Refusal to grant the variance would lead to a reduction of at least six units due to the removal of parking spaces alone, which would provide twenty-four units on a 0.89 acre lot. This is equivalent to a unit per acre calculation of 27.3 units per acre, which is below the Woodland Municipal Code's maximum development density of 35 units per acre and the Woodland Comprehensive Plan's recommended development density of 35 units per acre as demonstrated within Table 3-3 of the Comprehensive plan, which would be achievable on similar lots that are not impacted by the physical constraints of the subject site, and the double frontage constraint.

The requested variance is furthermore consistent with other properties in the vicinity, with the single-family home directly to the southwest of the property maintaining a limited setback of approximately 2.5 feet from the subject property line, and several structures encroach within the required setbacks on the property to the northeast of the subject parcel. This indicates a historical willingness to permit reduced setbacks within the immediate vicinity of the subject parcel and demonstrates that surrounding property owners have been permitted to maintain similar uses, rights, and privileges of their property.

**Conclusion:** The proposal meets this criterion.

Per WMC 17.81.020 (B) (2), the granting of a variance must not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;

**Finding 57:** The variances to the established setback requirements permits the construction of parking, balconies, and structures within the typical side, front, and rear setback areas.

**Finding 58:** Of note is the structural intrusion into these typical setbacks, located along the northern side of 'Building A' and the Southeastern side of 'Building B' that will place apartment building(s) 3.5 feet from the respective property line(s). Both adjoining lots have pre-existing single-family homes on them where the property owners may have a reasonable expectation for privacy.

**Finding 59:** Applicant has stated that to mitigate any detrimental and/or injurious impact that the granting of this variance shall incur, applicable screening standards will

be utilized and lighting will be directed towards the subject property to minimize impact(s) to neighboring properties.

**Finding 60:** A final photometric plan demonstrating that all lighting will be directed towards the subject property will be required alongside final Civil submission. *See Condition #14.*

**Finding 61:** Preliminary elevations identify windows on the northern side of 'Building A' and the Southeastern side of 'Building B' overlooking the neighboring property and within four (4) feet of the property line, including on the second and third floors where the provided landscaping will not adequately screen the neighboring properties and protect the neighboring properties' rights to a reasonable expectation of privacy.

Staff also recognizes that the concerns over privacy are exacerbated by the proximity of the residential structure(s) on the neighboring properties, particularly on the lot to the northwestern boundary of the subject lot, and that privacy concerns would be present regardless of the requested minor variances to the required setbacks.

**Finding 62:** Alongside civil review, applicant is required to provide updated architectural elevations and/or an updated landscaping plan demonstrating the all window within five (5) feet of the side lot lines are either removed, or effectively screened to prevent residents disturbing the neighboring properties' expectations of privacy. *See Condition # 9.b*

**Conclusion:** As conditioned, the proposal meets this criterion.

Per WMC 17.81.020 (B) (3), if a permit for a variance is denied, no reapplication shall be made within one year of the date of denial;

**Finding 63:** Permit for a minor variance has been approved with conditions. This criterion is not applicable to this project.

Per WMC 17.81.020 (B) (4), An approved variance will go with or be assigned to the subject property and shall not be transferable to another property; and

**Finding 64:** Proposed minor variance to the required setbacks is assigned to site plan SPR-23-001 on the subject property, which has been provided with the parcel number 50630 and is non-transferable. A condition of approval has been added that a note be added to the final plan set acknowledging this requirement. *See Condition # 12.g*

**Conclusion:** As conditioned, the proposal meets this criterion.

Per WMC 17.81.020 (B) (5), no use variance shall be granted except for lawfully created pre-existing uses in accordance with WMC 17.60.

**Finding 65:** No use variance is requested. This criterion is not applicable to this project.

**Conclusion:** As proposed, the proposal meets this criterion.

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## Fire Review

**Finding 66:** Applicant has submitted the proposed site plan to CCFR for their review. Applicant is responsible for ensuring compliance with all comments and/or conditions provided by Clark Cowlitz Fire Rescue through their independent fire/life safety review. *See Condition #15.*

**Finding 67:** Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations. *See Condition #16.*

**Conclusion:** As conditioned, the project can comply with this standard.

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## Building

*The City has adopted the 2018 edition of the International Building Code (IBC) through WMC Title 14. The City expects to adopt the 2021 edition of the IBC by the month of July, 2023. Please contact the permit clerk with any questions. All commercial building review is conducted by Townzen & Associates.*

**Finding 68:** Debi Cler, who serves as the City of Woodland's primary commercial plans reviewer with Townzen & Associates, has provided comments that should be address prior to building permit application:

- WAC 51-50-0429 (7/29/21) IBC Sec 429 - Electrical Vehicle Charging Infrastructure, will apply to this project.
  - Total Parking Spaces Provided = 45: EV Spaces Required = 5, Accessible EV Space Required = 1. **\*\*Show all EV & Accessible EV spaces on site plan\*\***
- WAC 51-50-0429 (7/29/21) IBC Sec 429 – Electrical Vehicle Charging Infrastructure will apply to this project. Five EV spaces required and one accessible EV space will be required. All EV & accessible EV spaces should be shown on site plan.
  - 429.2 Required electric vehicle charging infrastructure. Where parking is provided, ten percent of parking spaces shall be provided with electric vehicle charging infrastructure in compliance with Sections 429.3, 429.4



- and 429.5. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number.
- 429.5 Electric vehicle charging infrastructure for accessible parking spaces. When electric vehicle charging infrastructure is required, ten percent of accessible parking space, rounded to the next whole number, shall be provided with electric vehicle charging infrastructure. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking. A maximum of ten percent rounded to the next whole number, of the accessible parking spaces are allowed to be included in the total number of electric vehicle parking spaces required under Section 429.2.
  - Provide accessible ramp details to show compliance with A117.1-2009 Sec 405 & Sec 406.
  - All Site Specific Geotech recommendations and requirements will be required to be implemented into the structural design of the buildings.
  - Trash Enclosure: If this will be a fully enclosed trash enclosure with 4 walls and a cover, then compliance with IBC Table 602 Fire Resistance Rating for Exterior Walls will apply for separation distance. If it is a typical trash enclosure with 3 walls and a gate, this code section will not apply.

The applicant is responsible for providing updating building plans to comply with the above criteria at time of application for a commercial building permit. *See Condition #16.*

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### Utility Services

*The City maintains certain standards and specifications required for connection to the water and sewer system(s). The following comments have been provided regarding the site plan:*

**Finding 69:** Woodland Water Treatment Plant: Backflow devices of an appropriate size will be require for the following:

- Double check valve assembly (DCVA) for irrigation if applicable.
- Reduced pressure backflow assembly (RPBA) for the main water service line of appropriate size
- Double check valve detector assembly (DCDA) for any type of fire suppression system.

Please contact the City of Woodland Public Works department with any questions. *See Condition #21.*

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### SEPA Agency Comments

**Finding 70:** Department of Ecology provided comments regarding solid waste management and water quality. A summary of comments:

- **Solid Waste:** Use only clean fill or obtain a solid waste permit. Dispose of all debris at an approved site.
- **Water Quality:** Install erosion control measures prior to clearing, grading, construction. Do not discharge into waters of the state. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW (Water Pollution Control) and WAC 173-201A. Report any soil/groundwater contaminants found.
- **Construction Stormwater General Permit:** The following activities require coverage under the Construction Stormwater General Permit:
  - Clearing, grading and/or excavation that results in disturbance of one or more acres and discharges stormwater to surface waters of the state; and
  - Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more and discharge stormwater to surface waters of the state.
  - Any size of construction activity discharging stormwater to waters of the State that ecology:
    - Determines to be a significant contributor of pollutants to waters of the State of Washington; or
    - Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Evan Wood at [evan.wood@ecy.wa.gov](mailto:evan.wood@ecy.wa.gov), or by phone at (360) 706-4599.

A condition of approval has been added that the applicant is responsible for complying with the Department of Ecology's comments and applying for all applicable permit(s). *See Condition #18.*

**Finding 71:** Patrick Harbison, Diking Engineer with the Consolidated Diking Improvement District No. 2, provided comments in relation to the flood wall that serves as critical flood prevention infrastructure and runs parallel to the majority of the subject property's Southwestern property line. CDID#2's comments have been summarized below:

- Harbison, on behalf of CDID #2, noted the flood wall's proximity to the proposed development, and the diking district's interest in maintaining the integrity of the flood wall to maintain effective flood protection;
- Harbison, on behalf of CDID #2, expressed concern over the proximity of a stormwater bio-retention cell that the applicant intends to place directly adjacent to the existing flood wall, within 4 feet of the wall foundation, which may impact the long-term stability of the wall during a flood event;
- Harbison, on behalf of CDID #2, noted that the U.S. Army Corps of Engineers (USACE) provides oversight and guidance on the construction and maintenance of the flood infrastructure within the District and requests a condition of approval that requires the developer to meet the requirements of the USACE when designing the stormwater improvements in Goerig Street;
- Harbison, on behalf of CDID # 2, further noted that CDID #2 had a concern that the applicant was intending to utilize the flood wall as a grading tool by placing fill against it on the eastern side, and requests that a condition of approval be added that any improvements that will impact the flood wall at all will require the approval of the USACE through a section 408 approval process.

**Finding 71A:** The City of Woodland concurs with Patrick Harbison's concerns regarding the construction of stormwater facilities within 4 feet of the flood wall, and placing fill against the eastern side of the flood wall. The City of Woodland furthermore accepts the two conditions requested by CDID #2 to be in the best legal and practical interest of the City, the Diking District, and the community:

- The applicant shall obtain approval of an encroachment permit from CDID # 2 for any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure; and
- The applicant shall obtain Section 408 approval from the US Army Corps of Engineers for any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure.

The City has added these two conditions, with the understanding (as clarified by Patrick Harbison in an email on February 23<sup>rd</sup>, 2023) that they will not be triggered should the City and the Diking District determine that the development will have no impact on the flood wall. *See Conditions # 19 and 20 and Attachment D – Comments from CDID #2.*

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## Public Comment

**Finding 72:** Phillip Morris, a local resident who lives in the general area of development, provided comments that generally reflected the following concerns:

- A belief that there would not be any two- or three- bedroom housing units built in the area or on the subject lot;

- A concern that the traffic impact of the development would overwhelm East Scott Avenue and North Goerig Street and that the City is not doing enough to mitigate the traffic impact(s) of development;
- A concern that the tax revenue generated by the development to cover school and city impacts.

**Finding 72A:** The subject parcel is zoned for high density residential development, which permits the construction of multifamily dwellings, including duplexes, apartments, condominiums, townhouses, or other group(s) of dwellings in accordance with the density standards of WMC Chapter 17.20. WMC Chapter 17.20 does not limit multifamily dwellings to one-bedroom units. This belief may be in relation to other zoning districts in the general vicinity, as the zoning on the opposite side of North Goerig Street and along much of East Scott Avenue is low density residential and typically permits the construction of single-family homes as the primary use.

**Finding 72B:** The proposed development has been reviewed for its impact on surrounding traffic, and it has found to be generally consistent with the City's engineering standards. The applicant will be providing half-street improvements along its East Scott Avenue frontage, as well as full street improvements along its North Goerig Street frontage in order to mitigate its potential traffic impact(s). Staff recognizes that traffic continues to be a common concern of local citizens and has continued to work to improve both local and broad range transportation improvements, as well as require private developers, including the subject developer, to provide proper mitigation. For the subject property, the applicant has been required to provide half street improvements along their frontage both on East Scott and North Goerig street, including curb, gutter, lighting, stormwater detention and treatment, as well as new sidewalk(s). The City does not have the right to refuse property owners the lawful use of their property based solely on a feeling that the project may have negative impacts that cannot be mitigated against.

**Finding 72C:** The City makes their decisions regarding the approval (or disapproval) of potential developments based on a thorough review of whether the proposed development can meet the adopted standards, as outlined within the Woodland Municipal Code, the Woodland Comprehensive Plan, and other relevant legislative policy. The City cannot base development decisions based on potential tax revenue generated by the proposed development. However, staff would like to note that the applicant will be required to pay impact fees related to fire/life safety, school, and recreation impact fees, that are intended to help these public services mitigate against potential impacts within these systems.

**Finding 73:** Araceli Espinoza, a local resident who lives in the general area of development, provided comments that generally reflected the following concerns:

- A concern the emergency services will be blocked;

- A concern that parking has not been adequately considered, specifically that overflow would park on the street;
- General concerns regarding requirement(s) for the property owner to impose income requirements and background checks for potential future residents of the property;
- A comment that everyone on the council, public works, and the mayor know that we are not set up to accommodate more traffic with the current infrastructure, while also listing a number of proposed developments in the City;
- Concerns that proposed landscaping could lead to yard debris on her property;
- Araceli also listed the following concerns, that were generally addressed in other sections of this staff report:
  - overcrowding in schools;
  - Noise;
  - Lack of privacy;
  - Increased traffic;
  - Increased crime;
  - Negative impacts on the airflow.

**Finding 73A:** The applicant has applied for Clark-Cowlitz Fire Rescue for Fire/Life Safety review and will be required to comply with fire and life safety's requirements. The project has also been provided to the Woodland Police Department for their review, and no concerns have been expressed by the Police Department.

**Finding 73B:** The project, as proposed, meets the City's on-site parking requirements as outlined within WMC 17.20.060 and WMC Chapter 17.56. Apartment complexes are required to provide a minimum of one and a half parking spaces for every one or two bedroom unit, and two parking spaces for every three+ bedroom unit per WMC 17.56.050 (E) (1). On-street parking will be limited along E. Scott Avenue as well as North Goerig Street.

**Finding 73C:** The property owner's business decisions regarding potential background checks, income requirements, and other application requirements are not dictated by City code or policy. The City does not have requirements for multi-family property owners to run background checks and/or maintain specific income requirement(s) for tenants seeking private accommodation within the city, in either single family or multi-family developments. The City and the property owner are both required to meet the Fair Housing Act.

**Finding 73D:** As stated by the commenter, staff is aware of traffic concerns and continues to review the potential traffic impacts of new developments. Within the City, only one intersection has been determined to be failing, the intersection of Buckeye Street and Goerig Street. This intersection is not expected to be impacted by the proposed development. City requires all developments to provide roadway and frontage improvements, including half-street improvements, curbs, gutters, sidewalks, RoW

stormwater management, and lighting, which the proposed development will provide along both the North Goerig and East Scott Avenue frontage. Furthermore, the applicant will be required to pay Traffic Impact Fees as mitigation for potential impact(s), either as a payment to the City to be utilized to construct system improvements, or in the form of specific improvements provided by the applicant in lieu of the fees. In the case of this development, applicant will be providing full-width roadway improvement along the subject property's North Goerig frontage in lieu of paying Transportation Impact fees. In constructing full-width improvement(s) along approximately 180ft of North Goerig frontage, not only will provide an improved street section, but also help guide future improvements of North Goerig Street, which has been determined to be a substandard street per the City's standard design.

**Finding 73E:** The applicant, and eventual property owner is required to maintain all landscaping in a neat and orderly manner per WMC 17.20.090. Applicant will be required to plant street trees within the City RoW along both East Scott and North Goerig streets and will be expected to maintain the street trees alongside their property per WMC 12.28.060. Staff encourages any concerned citizens that witness landscaping in the RoW (or otherwise) that is not maintained in a consistent, safe manner to contact the City's code enforcement office at 360-225-7299. A condition of approval has been added that a note be added to the final landscaping plan that acknowledges the property owner's responsibility for maintaining all on-site landscaping and street trees. *See Conditions #4.d and 4.e*

**Finding 73F:** Staff notes that most of the listed concerns have been addressed within the report, however does want to respond directly below:

- Applicant is required to pay school impact fees as required by WMC that are utilized by the Woodland School District to mitigate the impact of additional students. Concerned parties should review Finding #1 and Condition #1.a.i for further information;
- Applicant and all ensuing owners is responsible for compliance with WMC 17.48, which regulates general performance standards including noise, vibration, air emissions, smoke, dust, odors, and other concerns. The applicant is required to acknowledge this within condition #11.f.
- The City acknowledges that a lack of privacy is a concern with this development, and has been specifically address within the City's discussion over the requested variance.
- Potential traffic impacts will be mitigated and managed through required traffic improvements and/or impact fees for the City to address.
- A potential increase in criminal cases are hard to quantify with a level of statistical certainty based on the proposed development. Certainly, an increase in density may have an impact on crime, however the expectation is that any impact can be managed through law enforcement practices.

**Finding 74:** David Simpson, a local resident, provided comments that generally concerned the following issues:

- Location of the trash receptacles;
- Requirements for E.V. charging stations;
- Storm infiltration potentially piped to the street side of the seawall;
- Lack of floor elevations listed on the site plan.

**Finding 74A:** Simpson states that the trash receptacle should not be right up against the property line, however the noted trash receptacle is located approximately 35-40 feet from the closest property line. Staff assumes that the potential trash receptacle the commenter notes is an unlabeled structure attached to 'Building B' that is located less than 5 feet from the property line. Staff requests that the applicant label these structures and ensure they are not designed for the disposal, or storage of trash. *See Condition 11.b.*

**Finding 74B:** Simpson commented that a percentage of parking spaces provided are required to be equipped with electric vehicle charging infrastructure. Staff has identified that 10% of provided parking is required to be provided E.V. charging infrastructure and conditioned the project on updated building plans be provided to meet the requirements of WAC 51-50-0429 and IBC Sec 429. *See Condition #17.a*

**Finding 74C:** Simpson also expressed concern regarding the storm infiltration being piped to the street side of the Seawall, which would potentially cause a breach in protection. Patrick Harbison, Diking Engineer with the Consolidated Diking Improvement District No. 2, as well as City staff has concerns regarding the stormwater infiltration and infrastructure being constructed in such proximity to the seawall, and the applicant has been informed that the preliminary stormwater system will require extensive revision, particularly their infiltration in the Right-of-Way, and the approval has been conditioned as such. *See Conditions # 7, 19, and 20.*

**Finding 74D:** Simpson also expressed concern that final elevation for the first floor was not present. The preliminary grading plan does indicate finished final elevation numbers, however this approval has been conditioned that the applicant is responsible for submitting for a flood development permit alongside building permit submission, and must meet the standards for flood damage prevention outlined in WMC chapter 14.40. *See Condition #8.*

**Conclusion:** As conditioned, the project can address these concerns.

### III. ENVIRONMENTAL REVIEW

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required

under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This Determination of Non-significance (DNS) is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

## IV. DECISION

Per WMC 19.08.030, the above application for the preliminary Site Plan Review has been **APPROVED WITH CONDITIONS** by the City of Woodland's Development Review Committee (DRC) based on the criteria and standards outlined in Woodland Municipal Code (WMC). See *Section V for conditions of approval.*

Per WMC 17.81.180, the above application for a minor height variance is hereby **APPROVED WITH CONDITIONS** by the City of Woodland Development Review Committee (DRC) based on the criteria and standards outlined in Woodland Municipal Code (WMC). See *Section V for conditions of approval.*

## V. CONDITIONS OF APPROVAL

1. The following impact fees have been estimated based on the preliminary application and will be due at time of building permit issuance and are subject to change:
  - a. School District Impact Fees:
    - i. Multi-Family:
      1. One Bedroom Units: \$2,000/Unit x 9 units = \$18,000
      2. Two and Three Bedroom Units: \$5,900/Unit x 21 Units = \$123,900
      3. Estimated total School District Impact Fees: \$141,900.
  - b. Fire Impact Fees:
    - i. Multi-Family: \$42,780 (\$1,426/unit)
  - c. Park/Recreation Impact Fee:
    - i. Multi-Family: \$24,930 (\$831/unit)
  - d. Transportation Impact Fees:
    - i. Multi-Family: \$15,586.80 (\$519.56/unit)
    - ii. Transportation impact fees may be credited towards the full street improvement as outlined in finding 5.
2. Pay all impact fees when building permits are issued per WMC 3.42.
3. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
4. Provide a Final Landscaping plan prepared by a licensed landscape architect alongside civil engineering submittal that meets the following conditions:



- a. Final landscaping plan shall indicate that street trees will be provided along the East Scott Avenue and North Goerig Street frontages by the applicant and/or their designee.
  - b. All trees identified in the landscaping plan must identify their caliper size at the time of planting measured at four feet above grade.
  - c. All street trees identified on the final landscaping plan must have a caliper measurement of at least two inches at the time of planting.
  - d. Add a note to the final landscaping plan that acknowledges that the property owner is responsible for maintaining on-site landscaping shall be permanently maintained in a neat and orderly condition per WMC 17.20.090 (B).
  - e. Add a note to the final landscaping plan that street trees shall be maintained in a manner consistent with WMC 12.28.060.
  - f. Trees shall be selected from the City's approved street tree list whenever possible. The approved street tree list may be found on the City's website here: <https://www.ci.woodland.wa.us/publicworks/page/street-trees>.
5. Provide a final engineering plan set for Civil review that includes updated utility plan(s) that documents compliance with the following conditions:
    - a. Construct proposed utilities in accordance with applicable WMC.
    - b. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
    - c. The fire mains shall be public mains with a 15-foot-wide easement to the City.
    - d. Pay all water and sewer connection fees and assessments at time of connection.
  6. Provide a final engineering plan set for Civil review that includes a final erosion control plan that demonstrates compliance with the following conditions:
    - a. Install and maintain on-site erosion control throughout the duration of construction of the project.
    - b. A fill & grade permit will be required.
  7. Provide a final stormwater TIR alongside civil engineering submittal that demonstrates compliance with the following comments:
    - a. A geotechnical report completed by a geotechnical engineer must be provided. The seasonal high ground water must be determined and the vertical separation of the bioretention facility to the seasonal high groundwater shall be evaluated for compliance.
    - b. Revise the MGS modeling for the final TIR to include the appropriate Ksat safety factor for the bioretention facilities and the water quality flow rates into the StormFilter catch basins.
    - c. Revise the MGS modeling for the final TIR to include the appropriate Ksat safety factor for the bioretention facilities and the water quality flow rates into the StormFilter catch basins.
    - d. Property owner must maintain bioretention facilities located within the City right of way such that they operate as intended, based upon the Stormwater TIR.
    - e. Provide emergency overflow routes for the bioretention facilities and the underground infiltration facilities.
  8. Applicant shall apply for a floodplain development permit alongside building permit submittal and be approved prior to construction of the proposed multi-family buildings. Application for

- a floodplain development permit shall include the following information and documentation presented by a qualified professional:
- a. Elevation in relation to mean sea level, of the lowest floor of all structures;
  - b. Elevation in relation to mean sea level to which any structure has been floodproofed;
  - c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 14.40.050(B)(2); and
  - d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
9. Building plans shall comply with requirements for anchoring, construction materials and methods as required by WMC 14.40.050(A)(1-5).
10. Provide final elevations alongside civil review submission that demonstrates compliance with the following land use conditions:
- a. Both proposed buildings' height, as measured from grade to average height of the highest gable of the roof that demonstrates compliance with a 35 foot maximum.
  - b. All windows proposed within 5 feet of side lot lines are either removed, or effectively screened in such a manner that prevents residents from intruding upon neighboring properties' expectations of privacy.
  - c. Provide architectural elevations of any mechanical equipment enclosure(s) providing full dimensions of proposed enclosure.
11. Provide a final site plan alongside civil review submission that demonstrates compliance with the following land use conditions:
- a. Demonstrates compliance with site distance requirements of WMC 17.20.070(L)(2).
  - b. Identifies the accessory structures attached to both 'Building A' and 'Building B.'
12. Applicant and/or property owner is responsible for complying with the following conditions during the life of the development. Notes should be added to final site plan that:
- a. Applicant is responsible for applying for a Floodplain Confirmation Letter prior to building permit approval.
  - b. All exterior mechanical devices shall be screened from surrounding properties and streets and shall be operated in such a manner that they do not disturb the peace.
  - c. Front, rear, and side yards must be maintained in such a way that they remain unobstructed and free of debris during construction and throughout occupancy of the premises, outside of any exceptions listing within WMC 17.20.090(E).
  - d. Lighting shall not cast glare on to adjacent properties. Lighting shall not rotate, glitter, and/or flash per WMC 17.46.140.
  - e. Proposed signage will require a separate sign permit and must comply with WMC Chapter 17.52.
  - f. The applicant will be responsible for ensuring that their operation is complying with all performance standards of WMC 17.48 (hazards and nuisances including sound level, vibration, air emissions, smoke, dust, odors, industrial wastes, fire hazards, heat, glare, radioactivity and radio transmitters).
  - g. Approved minor variance is assigned to the subject property and is not transferable to any other parcel, property, or development project.

13. Provide architectural elevations of all proposed trash enclosure and specifications of all container(s) proposed, including capacity, dimensions, and height of proposed receptacle, as well as dimensions and height of screening measures proposed.
14. Provide final photometric plan demonstrating compliance with WMC 17.36.130(Q) and RCW 47.36.180.
15. Submit site plan to CCFR for review. Include any required revisions with the civil engineering submission. All work subject to field inspection and correction as identified at the time of the on-site inspection; all work shall be compliant with the applicable standards and codes; to include the adopted edition of the International Fire Code and the City's Municipal Code.
16. Building/construction plans must be submitted to CCFR separately, along with fire alarm and/or fire sprinkler alterations. It is the responsibility of the applicant to comply with any and all conditions placed upon the development by CCFR as the City of Woodland will not approve any proposed development without CCFR approval.
17. Comply with all comments provided by Townzen & Associates, including demonstrating compliance with the following IBC code sections and conditions:
  - a. IBC Section 429: Electrical Vehicle Charging Infrastructure;
    - i. Five EV Spaces are Required;
    - ii. One accessible EV space is required;
    - iii. Identify all EV and Accessible EV spaces on Site Plan;
  - b. Comply with RCW 46.08.185, requiring vertical signage indicating all publicly available electric vehicle supply equipment and indicating that it is only for electric vehicle charging;
  - c. Provide accessible ramp details to show compliance with A117.1-2009 Sec 405 & Sec 406;
  - d. All Site Specific Geotech recommendations and requirements will be required to be implemented into the structural design of the buildings;
  - e. Trash Enclosure: If this will be a fully enclosed trash enclosure with 4 walls and a cover, then compliance with IBC Table 602 Fire Resistance Rating for Exterior Walls will apply for separation distance. If it is a typical trash enclosure with 3 walls and a gate, this code section will not apply.
18. It is the applicant's responsibility to make any relevant revisions and/or acquire any relevant permits based on provided comments from the Department of Ecology.
19. The applicant shall obtain approval of an encroachment permit from CDID # 2 for approval of any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure Payment shall be made to the City for any outstanding Professional Consulting Services per WMC 19.02.110.
20. The applicant shall obtain Section 408 approval from the US Army Corps of Engineers for any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure.
21. Applicant shall include backflow devising meeting City of Woodland's standards on civil plans submitted for review. Required backflow devices may include the following:
  - a. Double check valve assembly (DCVA) for irrigation if applicable.
  - b. Reduced pressure backflow assembly (RPBA) for the main water service line of appropriate size.
  - c. Double check valve detector assembly (DCDA) for any type of fire suppression system.

22. Applicant shall provide responses acknowledging conditions of approval.

## VI. APPEAL PROCEDURE

As per WMC 19.08.020 and 19.08.030, this Notice of Decision may be appealed to the Hearing Examiner within 14 days of the date this decision is issued. The appeal with grounds for appeal in writing shall be submitted to the Community Development Department **by 5:00 p.m., April 5th, 2023.**

**Staff Contact:** David Lukaczer, Associate Planner  
City of Woodland  
P.O. Box 9  
230 Davidson Ave  
Woodland, WA 98661  
[lukaczerd@ci.woodland.wa.us](mailto:lukaczerd@ci.woodland.wa.us)

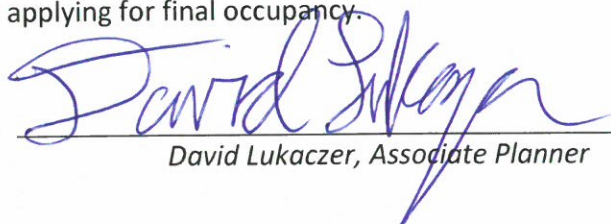
## VII. NEXT STEPS

If there is no appeal to the decision, the applicant may move forward to develop the site.

- Submit final civil plans addressing the conditions above. Include Woodland standard details for water, sewer, erosion control, etc. as required to support the civil design when you submit drawings for final civil approval. The details can be found at [www.ci.woodland.wa.us/departments/public-works/standards.php](http://www.ci.woodland.wa.us/departments/public-works/standards.php).
- Pay any outstanding professional consulting services per Woodland Municipal Code 19.02.110
- Submit for building, floodplain, grading, and sign permits.
- Schedule a pre-construction meeting before beginning any construction activities. Contact public works at 360-225-7999 to schedule.
- Install all required landscaping and irrigation prior to applying for final occupancy.
- Submit three copies of full-sized and one copy of reduced size (11" x 17") as-built drawings. In addition, submit a CD/thumb drive containing the as-built drawings in AutoCAD and pdf formats prior to applying for final occupancy.

**Date:** 3/17/2023

**Signature:**



*David Lukaczer, Associate Planner*

cc:

Applicant  
Property Owner  
Ryan Walters, P.E., Gibbs & Olson

Parties of Record  
Department Heads  
Building Official

Fire Marshal  
Planning Commission  
City Council

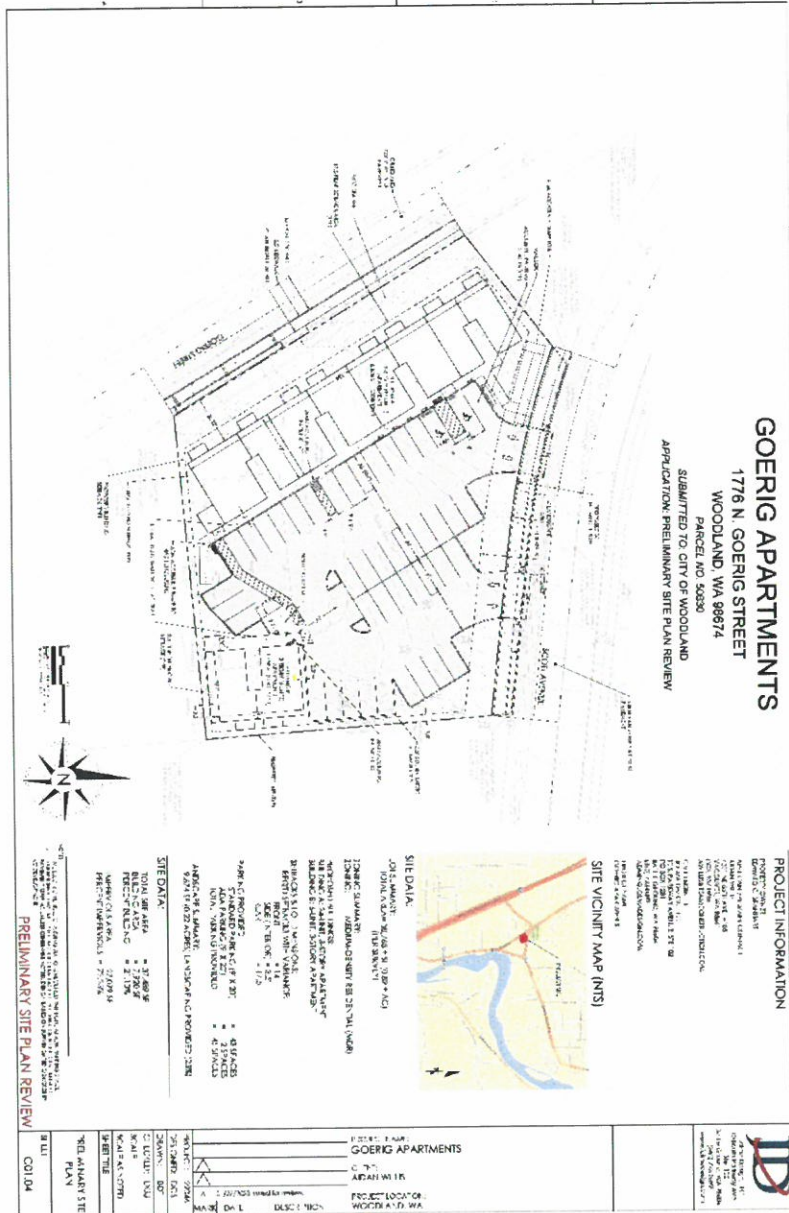
Mayor  
File  
Counter Copy  
Website

**ATTACHMENTS**

- A. Site Plan
- B. Landscaping Plan
- C. Department of Ecology Letter
- D. Comments from CDID #2
- E. Engineering and Public Works Comments
- F. Building Comments
- G. Public Comments

**Attachment A**

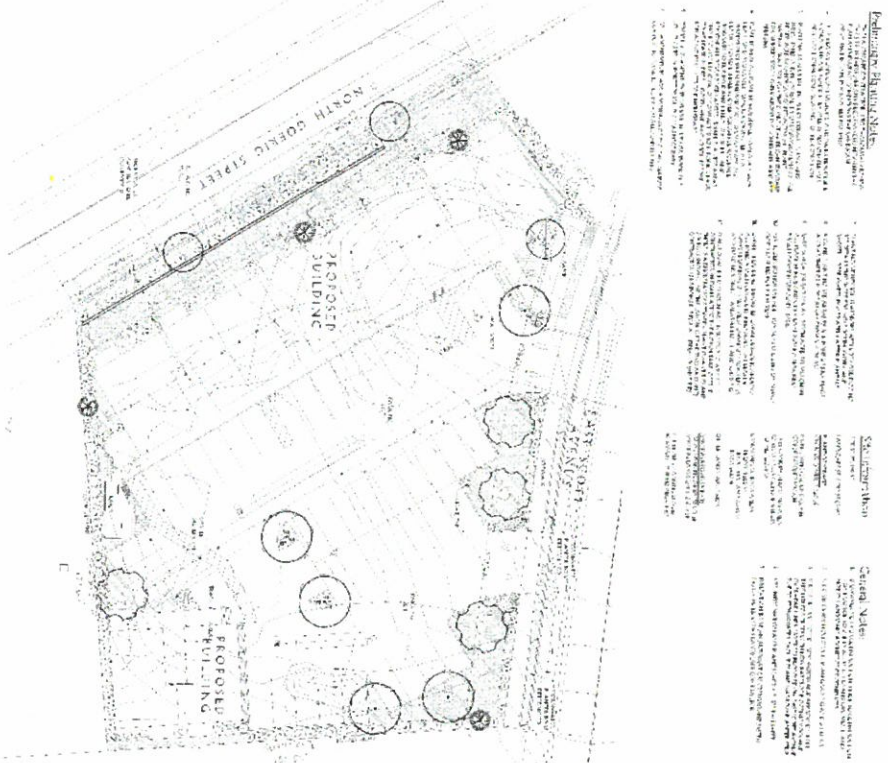
# Site Plan



# Attachment B Landscaping Plan

**Legend**

Symbol	Description	Quantity	Notes
1	Planting Area	100	See Schedule
2	Planting Area	100	See Schedule
3	Planting Area	100	See Schedule
4	Planting Area	100	See Schedule
5	Planting Area	100	See Schedule
6	Planting Area	100	See Schedule
7	Planting Area	100	See Schedule
8	Planting Area	100	See Schedule
9	Planting Area	100	See Schedule
10	Planting Area	100	See Schedule
11	Planting Area	100	See Schedule
12	Planting Area	100	See Schedule
13	Planting Area	100	See Schedule
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31	Planting Area	100	See Schedule
32	Planting Area	100	See Schedule
33	Planting Area	100	See Schedule
34	Planting Area	100	See Schedule
35	Planting Area	100	See Schedule
36	Planting Area	100	See Schedule
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100	Planting Area	100	See Schedule



**GREEN**

10' 0" 20' 0" 30' 0"

1" = 20' 0"

DATE: 08/28/2023

REVISIONS

**PRELIMINARY**

PRELIMINARY PLANNING PLAN

**GREEN**

Apartment

**GREEN**

Designs, LLC

**Attachment C**  
Department of Ecology Letter





STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Southwest Region Office

PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

February 22, 2023

David Lukaczer, Associate Planner  
City of Woodland  
Department of Community Development  
230 Davidson Avenue  
Woodland, WA 98674

Dear David Lukaczer:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the 1776 N. Goerig Street Multi-Family Project (SEP-23-001) as proposed by Goerig Street, LLC. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287**

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present are removed prior to demolition. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at: [Construction & Demolition Guidance](#). All removed debris resulting from this project must be disposed of at an approved site. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. Contact the local jurisdictional health department for proper management of these materials.

**WATER QUALITY/WATERSHED RESOURCES UNIT:  
Brian Johnson (360) 624-5741**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil

and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
  - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
  - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
  - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Evan Wood at [evan.wood@ecy.wa.gov](mailto:evan.wood@ecy.wa.gov), or by phone at (360) 706-4599.

Additionally, sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements. See condition S8 of the Construction Stormwater General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at: <https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

The applicant may apply online or obtain an application from Ecology's website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> - [Application](#). Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

David Lukaczer  
February 22, 2023  
Page 3

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

(GMP:202300464)

cc: Derek Rockett, SWM  
Brian Johnson, WQ

## **Attachment D**

CDID # 2 Comment Letter

## ***CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 2***

of Cowlitz County, Washington

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**Engineer's Office**

1600 – 13<sup>th</sup> Avenue South  
Kelso, WA 98626  
(360) 577-3030  
Washington Relay Service 711 or (888) 833-8633

**Maintenance Building**

526 North Dike Road  
P.O. Box 461  
Woodland, WA 98674  
(360) 225-8935

February 22, 2023

City of Woodland  
Community Development Department  
c/o David Lukaczer  
PO Box 9, 230 Davidson Avenue  
Woodland, WA 98674

**SUBJECT:      Goerig Apartments (SPR-23-001) SEPA Comments**

Dear Mr. Lukaczer,

Consolidated Diking Improvement District No. 2 (CDID No. 2) has had an opportunity to review the Goerig Apartments SEPA submittal and would like to ask that a few conditions be included in the SEPA decision.

Goerig Apartments is a proposal to construct two 3-story apartments on 0.89 acres at 1776 N. Goerig Street. The proposed plat is bordered on the north by East Scott Avenue, the east by Goerig Street and the CDID No. 2 flood wall and the south by residential and commercial properties. The site is located outside the CDID No. 2 boundary and is not protected by our infrastructure. The applicant proposes to utilize public sewer and extend a sewer lateral into Goerig Street, north of the existing flood wall. Stormwater is proposed to be disposed of through multiple bio-retention cells, including one in Goerig Street adjacent to the existing flood wall.

The CDID No. 2 levee along the Lewis River is the only protection the area has against annual flooding. In 1996, we experienced a major flood event that raised the Lewis River water level to within a foot of overtopping the levee and Flood wall. The proposed bioretention facilities, located along Goerig Street within approximately 4' of the wall foundation, creates a concern about the long-term stability of the wall during a flood event. The U.S. Army Corps of Engineers (USACE), provides oversight and guidance on the construction and maintenance of the flood infrastructure within the District and CDID No. 2 requests a condition of approval that requires the developer to meet the requirements of the USACE when designing the stormwater improvements in Goerig Street.

The applicant appears to be proposing to us the flood wall as a grading tool by placing fill against it on the east side. Any improvements that will impact the flood wall at all will require the approval of the USACE through a Section 408 approval process. CDID No. 2 requests a condition of approval to reflect that.

To summarize, CDID No. 2 has some concerns that affect the long-term safety and flood risk of the area with relation to the new development. We would like to request the following conditions be included in the SEPA decision:

- The applicant shall obtain approval of an encroachment permit from CDID No. 2 for approval of any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure.
- The applicant shall obtain Section 408 approval from USACE for any improvement that has a potential impact on the CDID No. 2 flood wall and other infrastructure.

Thank you again for the opportunity to comment on this SEPA and look forward to working with the County and the applicant to make this a successful project. If you have any questions, please contact our diking engineer Patrick Harbison at 360-577-3030 ext. 6536 or via email at [harbisonp@cowlitzwa.gov](mailto:harbisonp@cowlitzwa.gov).

Sincerely,



PATRICK HARBISON, Diking Engineer  
CONSOLIDATED DIKING IMPROVEMENT  
DISTRICT NO. 2, COWLITZ COUNTY

PH:ec

**From:** [Harbison, Patrick](#)  
**To:** [Aidan Willis](#)  
**Cc:** [David Spencer](#); [David Lukaczer](#); [rwalters@gibbs-olson.com](mailto:rwalters@gibbs-olson.com)  
**Subject:** RE: Goerig Apartments CDID SEPA Response  
**Date:** Thursday, February 23, 2023 10:16:57 AM

---

Aidan,

Thank you for reaching out to discuss the issue. I asked the City to work those conditions that way, so that if we can determine there is no impact on the floodwall, its satisfied. The concern with the bioretention is the infiltration that close to the wall and the grading is the pressure it puts against the wall. But the simple answer is yes.

*Patrick N. Harbison, P.E.*

Utilities Manager  
Cowlitz County Public Works  
1600 13<sup>th</sup> Ave South  
Kelso, WA 98626  
(360) 577-3030 ext. 6536

(The County recently switched over to Office 365 and changed our email domain. Please note my new email and update your contact info as necessary. Thank you.)

**From:** Aidan Willis <[awillis@teamconstruction.com](mailto:awillis@teamconstruction.com)>  
**Sent:** Thursday, February 23, 2023 9:26 AM  
**To:** Harbison, Patrick <[HarbisonP@cowlitzwa.gov](mailto:HarbisonP@cowlitzwa.gov)>  
**Cc:** David Spencer <[dspencer@jolmadesign.com](mailto:dspencer@jolmadesign.com)>; [lukaczerd@ci.woodland.wa.us](mailto:lukaczerd@ci.woodland.wa.us)  
**Subject:** Goerig Apartments CDID SEPA Response

Hi Patrick,

Thank you for taking the time to look at my upcoming project in Woodland. It was and is our intention with this project not to impact the CDID No. 2 Floodwall. It looks to me from your comments that you had two concerns that triggered the encroachment permit and USACE approval.

The first was the bioretention facility on the Goerig side of the street. The second was a potential grade change on the lot side of the wall.

If I eliminate both of those items could we eliminate the need for the 408 Approval? This is a small development, in a hard time to make things pencil and I don't need a 12 month delay with the army corps.

Thanks

Aidan Willis, PE  
TEAM Construction, LLC

## **Attachment E**

Engineering and Public Works Comments



**From:** [Todd Douglas](#)  
**To:** [David Lukaczer](#)  
**Subject:** RE: SPR-23-001 Project Routing (1776 N Goerig Apartments)  
**Date:** Tuesday, February 14, 2023 7:35:59 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image001.png](#)

---

David,

For this Project we will require backflow devices of appropriate size for the following:

Double check valve assembly (DCVA) for irrigation if applicable.

Reduced pressure backflow assembly (RPBA) for the main water service line of appropriate size

Double check valve detector assembly (DCDA) for any type of fire suppression system.

If you have any questions let me know.

Thank you,

Todd Douglas  
City of Woodland  
Water Treatment Plant Superintendent  
130 Scott Hill Road  
Plant Phone 360 225 6174  
Cell 360 608 1417  
Fax 360 225 7336



**From:** [Kathryn Myklebust](#)  
**To:** [David Lukaczer](#); [Ryan Walters](#)  
**Cc:** [Josh Taylor](#)  
**Subject:** RE: SPR-23-001 Project Routing (1776 N Goerig Apartments)  
**Date:** Tuesday, March 14, 2023 12:48:33 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

A couple comments-

- Address needs to be changed. I know we mentioned it to them, but we continue to refer to this project as N Goerig Apts with the 1776 address and it really needs to be an E Scott address. Josh, this may be our opportunity to re-address all of this block of E Scott. Let's get together on this, please. David, I'm wondering if somewhere in the decision it should be mentioned, juts to capture it officially?

Thanks,

*Kathryn Myklebust, Engineering Technician*

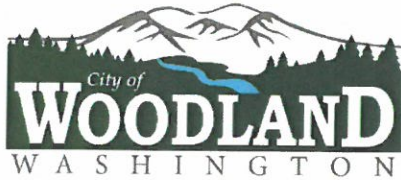
City of Woodland Public Works

Office: (360) 225-7999

Fax: (360) 225-7336

236-B Davidson Ave

PO Box 9, Woodland, WA 98674



## Community Development Department

Building | Planning | Code Enforcement

P.O. Box 9, 230 Davidson Avenue

(360) 225-7299, [www.ci.woodland.wa.us](http://www.ci.woodland.wa.us)

### Development Impact Fees | WMC 3.42

**Finding 1:** Transportation Impact Fees (TIF) will not be required for this development.

**Finding 2:** Fire Impact Fees are required on new development. Fees are calculated based on \$.51 per sq ft of building. Fees are calculated and due at the time of building permit issuance. A condition is added to pay all impact fees when building permits are issued. *See Condition #1.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

### Streets and Sidewalks | WMC Title 12

**Finding 3:** Frontage improvements along E Scott Avenue will require construction of half-street improvements, curb and gutter, detached sidewalk, landscaping, and street lighting consistent with City of Woodland Engineering Standards (Standards) and applicable Woodland Municipal Code (WMC). Bioretention can be installed within the planter strips along E Scott Avenue. Please present vegetation options within these areas that require the least amount of City maintenance. Frontage improvements along N Goerig Street will require construction of full-width street improvements in accordance with City of Woodland Standard Detail T-27 "Local Access Road", except that the road shall be designed to be superelevated to drain east to west with curb and gutter, attached sidewalk, landscaping, and street lighting consistent with the Standards and WMC. Bioretention can be installed on the west side frontage improvements. A condition is added that all improvements in the public right-of-way shall be completed in accordance with the Standards and WMC. Additionally, dedication of Right-of-Way shall comply with the Standards and WMC. *See Condition #2.*

**Finding 4:** The requirement for full-width street improvements on N Goerig Street will allow for stormwater treatment and conveyance that mitigates impacts to the CDID No. 2 sea wall located on the east side of N Goerig Street and eliminates the requirement to address impacts through the United States Army Corp. of Engineers (USACE) Section 408 process. Because the City does not require full-width street improvements of new developments, the Transportation Impact Fee for this development will be waived. *See Condition #1.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

### Water and Sewage | WMC Title 13

**Finding 4:** Existing 12-inch water is available to tie into on E Scott Avenue and existing 10-inch water and 12-inch sewer is available to tie into on N Goerig Street. The applicant has proposed to extend 8-inch water on-site with 1-inch and 2-inch domestic water service, and 2-inch fire service lines from E Scott Avenue. The applicant has proposed to extend 6-inch sewer on-site from N Goerig Street. The layout of these utilities as shown in the current engineering plans do not meet the requirements of the Standards and WMC. This is addressed in individual sheet comments at the end of this document. Backflow devices must be installed on the domestic and fire supply lines to the building. If irrigation is desired, it is recommended to install a separate water meter and backflow device to comply with backflow and cross-connection requirements of WMC 13.28, as well as all other applicable WMC. *See Conditions #3 and #4.*

**Finding 5:** The fire mains shall be public mains with a 15 ft wide easement to the City. The layout of these utilities as shown in the current engineering plans do not meet the requirements of the Standards and WMC. Modify the proposed 10-foot utility easement to 15-feet. *See Condition #5.*

**Finding 6:** Water and Sewer Assessment Fees: Connection charges and assessments for water and sewer will be assessed in accordance with the applicable rate schedule.

**Conclusion:** As conditioned, the project can comply with this standard.

---

### Erosion Control | WMC 15.10

**Finding 7:** Applicants are required to install and maintain erosion control measures per the Best Management Practices as outlined in the 2012 Stormwater Management Manual for Western Washington during site excavations and grading. An NPDES permit from the Department of Ecology is required where more than one acre is being disturbed, however total disturbance as shown on the Plans is ~.90 acres and an NPDES permit is not required. A fill and grade permit is also required. *See Conditions #6 and #7.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

### Stormwater Management | WMC 15.12

**Finding 8:** A condition of approval is added to submit a final stormwater TIR that addresses the following stormwater comments. *See Condition #8.*

**Finding 9:** Per Woodland Municipal Code 15.12, the City of Woodland follows the 1992 Puget Sound Manual. If the applicant chooses to design per current Ecology standards, this meets or exceeds City requirements and is acceptable.

**Finding 10:** For the preliminary design, infiltration data was provided. Infiltration varies from 92 inches per hour to 3 inches per hour. For final design, provide a complete geotechnical report including a map of the testing locations. In addition, the seasonal high ground water must be determined and the vertical separation of the bioretention facilities and the underground infiltration trenches to the seasonal high groundwater, evaluated for compliance. *See Condition #9.*

**Finding 11:** Water quality flow rates into the StormFilter catch basin need to be included in the MGS modeling report. *See Condition #10.*

**Finding 12:** The MGS modeling report lists the Ksat Safety Factor as “none”. For bioretention facilities, a safety factor must be applied to the modeling. Per BMP T7.30:

- a. If the contributing area is greater than 5,000 sf of PGIS or 10,000 sf of impervious surface or 3/4 acres of lawn and landscape, use 4 as the Ksat safety factor;
- b. If the contributing area is less than all the above, use 2 as the Ksat safety factor.

Revise the modeling for the final TIR to include the appropriate Ksat safety factor. *See Condition #10.*

**Finding 13:** *The bioretention facilities are located in the City of Woodland’s right of way. The TIR states all stormwater facilities will be privately owned, operated, and maintained. See Condition #11.*

**Finding 14:** The bioretention facilities and underground infiltration trenches need to provide an emergency overflow route. *See Condition #12.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

## I. CONDITIONS OF APPROVAL

1. Pay all impact fees when building permits are issued per WMC 3.42. The TIF for this development will be waived.

2. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
3. Construct proposed utilities in accordance with applicable WMC.
4. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
5. The fire mains shall be public mains with a 15-foot wide easement to the City.
6. Install and maintain on-site erosion control throughout the duration of construction of the project.
7. Apply for a fill and grade permit, as applicable.
8. Submit a final, revised stormwater TIR that addresses comments on the Plans and Preliminary TIR.
9. A geotechnical report completed by a geotechnical engineer must be provided. The seasonal high ground water must be determined and the vertical separation of the bioretention facility to the seasonal high groundwater shall be evaluated for compliance.
10. Revise the MGS modeling for the final TIR to include the appropriate Ksat safety factor for the bioretention facilities and the water quality flow rates into the StormFilter catch basins.
11. Property owner must maintain bioretention facilities located within the City right of way such that they operate as intended, based upon the Stormwater TIR.
12. Provide emergency overflow routes for the bioretention facilities and the underground infiltration facilities.

## **II. ADDITIONAL ENGINEERING COMMENTS**

### **SHEET C01.01 – COVER SHEET**

1. Include contact information for all existing site utilities, including the City of Woodland.
2. Include project approval blocks for the City of Woodland and Clark-Cowlitz Fire & Rescue (CCFR). Obtain these from the City.
3. Include a legal description of the property.
4. Include project benchmark information.

5. Include a note stating “Construction shall conform to the requirements of the City of Woodland Engineering Standards for Construction.”

#### SHEET C01.02 – EXISTING CONDITIONS PLAN

1. Include existing 12-inch waterline located on the north side of E Scott Avenue. The survey appears to show existing valves and fire hydrants, however the existing 12-inch waterline is missing.

#### SHEET C01.04 – PRELIMINARY SITE PLAN

1. This sheet is missing from the planset.

#### SHEET C01.05 – STORMWATER MANAGEMENT PLAN

1. Note 1 refers to City of Vancouver, change to City of Woodland.
2. Bioretention facilities will be allowed within planter strips on E Scott Ave and on the west side of the full-width street improvements on N Goerig Street.

#### SHEET C01.07 – GOERIG STREET

1. This sheet calls out half-street improvements based upon a 30-foot half width Right-of-Way per City of Woodland Standard Detail T25-B. To address street stormwater treatment and conveyance, the road improvements on N Goerig Street will be full-width per City of Woodland Standard Detail T-27 “Local Access Road” except that the road will be superelevated east to west with bioretention on the west side of these improvements. Drain the curb and gutter to a single downstream point where bioretention treatment will occur. Add a cross-section or detail showing these improvements.
2. Sewer manholes require a minimum 0.2-foot drop between invert elevations.

#### SHEET C01.09 – UTILITY PLAN

1. Engineer shows connection of proposed water main to existing sanitary sewer main in E Scott Avenue. As previously mentioned, there is an existing 12-inch water main near the curb on the north side of E Scott Avenue. Revise the connection accordingly.
2. Proposed sanitary sewer cannot be constructed beneath the proposed buildings. Revise the alignment.
3. In plan view, label proposed utility lines with length, material type, size, and slope, as applicable.
4. Provide alignments for proposed utilities or label structures, center of fittings, etc. with northings and eastings.
5. Label structures with rim elevations and invert elevations in plan view.
6. Develop profile views for proposed sewer and storm.
7. Indicate direction of flow for proposed sewer and storm lines in plan view.

#### SHEET C02.01 – EROSION CONTROL DETAILS

1. Replace erosion control details with most recently approved details. These are available on the City’s website.

**SHEET C02.02 – STORM DETAILS**

1. The water quality flow rate for the specific stormfilter data for both the one cartridge and the two cartridge system lists it as 0.01 cfs.

**SHEET C02.03 & C02.04 – STREET DETAILS**

1. Replace street details with most recently approved details. These are available on the City's website.

**SHEET C02.05 & C02.06 – UTILITY DETAILS**

1. Replace utility details with most recently approved details. These are available on the City's website.

**GENERAL COMMENTS:**

1. The City's Engineering Standards and Standard Details can be found here:  
<https://www.ci.woodland.wa.us/publicworks/page/construction-standards>
2. The City's Municipal Code can be found here:  
<https://library.municode.com/wa/woodland>



**Attachment F**

Building Comments

## David Lukaczer

---

**From:** Debi Cler <debi@townzen-consulting.com>  
**Sent:** Thursday, February 2, 2023 4:36 PM  
**To:** David Lukaczer  
**Subject:** SPR-23-001 Building Comments

David,

Here are SPR-23-001 Site Plan Building Comments:

**1. WAC 51-50-0429 (7/29/21) IBC Sec 429 - Electrical Vehicle Charging Infrastructure**, will apply to this project. **Total Parking Spaces Provided = 45:** EV Spaces Required = 5, Accessible EV Space Required = 1. **\*\*Show all EV & Accessible EV spaces on site plan\*\***

**429.1 Scope.** The provisions of this section shall apply to the construction of new buildings.

EXCEPTIONS: 1. Occupancies classified as Group R-3 or Group U.

2. Group A, Group E, or Group M occupancies, except where employee parking spaces are designated. The provisions of Section 429 shall apply only to those designated employee parking spaces.

**429.2 Required electric vehicle charging infrastructure.** Where parking is provided, **ten percent** of parking spaces shall be provided with electric vehicle charging infrastructure in compliance with Sections 429.3, 429.4 and 429.5. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number.

**429.5 Electric vehicle charging infrastructure for accessible parking spaces.** When electric vehicle charging infrastructure is required, **ten percent** of accessible parking space, rounded to the next whole number, shall be provided with electric vehicle charging infrastructure. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking. A maximum of ten percent rounded to the next whole number, of the accessible parking spaces are allowed to be included in the total number of electric vehicle parking spaces required under Section 429.2.

**2.**

### **RCW 46.08.185**

#### **Electric vehicle charging stations—Signage—**

(1) Publicly available electric vehicle supply equipment must be indicated by vertical signage identifying the station as publicly available electric vehicle supply equipment and indicating that it is only for electric vehicle charging. The signage must be consistent with the manual on uniform traffic control devices, as adopted by the department of transportation under RCW 47.36.030, and contain the information required in RCW 19.94.560. Supplementary signage may be posted to provide additional information including, but not limited to, the amount of the monetary penalty under subsection (2) of this section for parking in the station while not connected to the charging equipment.

**3.** Provide accessible ramp details to show compliance with A117.1-2009 Sec 405 & Sec 406.

**4.** All Site Specific Geotech recommendations and requirements will be required to be implemented into the structural design of the buildings.

5. Trash Enclosure: If this will be a fully enclosed trash enclosure with 4 walls and a cover, then compliance with IBC Table 602 Fire Resistance Rating for Exterior Walls will apply for separation distance. If it is a typical trash enclosure with 3 walls and a gate, this code section will not apply.

**NOTE:** WSEC Sec C411 Solar Readiness will NOT apply to this project. ( Exempt - Residential Buildings)

Thank you,

*Debi Cler – Plans Examiner*

***Townzen & Associates, Inc.***

221 Kenyon St. NW, Suite 102, Olympia, WA 98502 | P: 360-890-2747

[debi@townzen-consulting.com](mailto:debi@townzen-consulting.com) | [www.townzen-consulting.com](http://www.townzen-consulting.com)



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# **Attachment G**

## Public Comments

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**From:** [A Espinoza](#)  
**To:** [David Lukaczer](#)  
**Subject:** Concern re: application for 1776 N Goerig ST  
**Date:** Wednesday, February 22, 2023 9:57:47 AM

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C/O David Lukaczer

Araceli Espinoza

1775 N Goerig St.

Woodland, WA 98674

I have been a resident of Woodland, WA since April of 2018. After review of the notice of application submitted by Aiden Willis. I have decided to write this letter of concern regarding the application for 1776 N. Goerig St. (high density residential- 30 units) I have several concerns I would like to bring to your attention not only as a resident but as the property owner that lives directly across at 1775 N. Goerig St.

My concerns are as follows:

This is a main passage point for the police dept and the fire dept have you considered where the overflow cars will park? There are 30 units and only 45 parking spaces. Is the street going to be designed to accommodate street parking? The street is currently not designed to accommodate street parking. I don't like the idea of having a lot of cars parked in front of my house and different people coming and going during the day/night.

Are there going to be income requirements to live in these apartments?

Are background checks going to be a part of the application process? Prior to placing a purchase offer on my home in 2018, I did a 5-mile radius search from the home address and there were and are currently 3 registered sex offenders. Is it important for the city to keep our children and residents safe?

Everyone on the council, public works and the mayor know that we are not set up to accommodate more traffic with the current infrastructure, there is the RV park and additional apartments being built north of 1776 how is the city prepared to deal with the increased amount of traffic?

Have you taken into consideration the landscape design that will be added next to the sidewalk

on N. Goerig (I currently cut the lawn on that part of the property the city doesn't pay me for doing so or does it pay for the yard debris that I toss from that area. Are you going to allow trees to be planted if so what kind of trees? I don't need or want more yard debris on my property.

There are several reasons why high-density buildings are not a good idea for our community. I would like to point out some of the most important ones.

- overcrowding in schools
- noisy
- lack of privacy
- increased traffic
- increased crime
- negative affect on the airflow

I hope that those involved think and consider potential consequences and not simply approve and sign applications.

Thank you for your time,

Araceli Espinoza

(360) 513-8630

**From:** [Travis Goddard](#)  
**To:** [morrispd.75@gmail.com](mailto:morrispd.75@gmail.com); [Peter Boyce](#); [Amanda Hougan](#)  
**Cc:** [David Lukaczer](#)  
**Subject:** RE: Public Submission: Citizen Comment/Communication - Phillip Morris - 499F7117  
**Date:** Wednesday, February 8, 2023 9:29:03 AM

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Hi Phillip,

Thank you for your comments, I will make sure to pass them on to the planner for the case.

We did meet with the owner's development team last year and we have discussed some of the issues you raised.

The development will be required to pay impact fees for parks, schools, fire protection, and traffic impacts. They will also be required to make frontage improvements on both streets that the project faces. So we will make them mitigate for as many impacts as we can.

Beyond that, there are no regulations regarding how many bedrooms that can be built. There are also no regulations allowing for the consideration of financial issues when it comes to approving building developments. Development projects must be reviewed using the zoning and development codes that are in place when an application is submitted. So tax revenue is not a criteria by which an application can be evaluated.

I hope that addresses your concerns. If you have further questions please contact David at the email above. Thank you.

Travis Goddard  
Community Development Director  
Deputy Clerk/Treasurer  
Public Records Officer

**From:** City of Woodland <[cwnotification@icompasstech.com](mailto:cwnotification@icompasstech.com)>  
**Sent:** Tuesday, February 7, 2023 11:00 PM  
**To:** Travis Goddard <[GoddardT@ci.woodland.wa.us](mailto:GoddardT@ci.woodland.wa.us)>; Peter Boyce <[BoyceP@ci.woodland.wa.us](mailto:BoyceP@ci.woodland.wa.us)>; Amanda Hougan <[hougana@ci.woodland.wa.us](mailto:hougana@ci.woodland.wa.us)>  
**Subject:** Public Submission: Citizen Comment/Communication - Phillip Morris - 499F7117

This is an automated message from City of Woodland.  
Please do not respond to this message.

Sender: Public User  
Quick Link: [Go to Item](#)

**Item Information:**

**Requester's Name:** Phillip Morris

**Address:**

**Mailing**

**Address (if  
different):**

**City:** Woodland

**Postal Code:**

**Phone**

**Number:**

**Email**

**Address:** [morrispd.75@gmail.com](mailto:morrispd.75@gmail.com)

**Status**

**Description:** Apartment app for Georgie street 1776 location you show a very high compact apartment to be build in a very small area 1) I was under the impression that there not to be any two or three bedroom housing built in this area 2 were the traffic impact for this area what's the city going to do to fix the traffic impact to this area east Scott hill rd is to narrow to Handel the heaven traffic that will be put on to it Georgie is in no better of a road system to Handel the increase of traffic . You need to re-think this situation more then you have there will be no tax revenue from these place to cover city impact nor will there be any taxes for the school system which it will impact the intersection still need to be re-done



**From:** [dis698@aol.com](mailto:dis698@aol.com)  
**To:** [David Lukaczer](#)  
**Subject:** SPR23-001  
**Date:** Wednesday, February 22, 2023 1:48:17 PM

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Hi David

I have a couple of comments about this project;

1. The trash receptacle shouldnt be right up against the neighboring property.
- 2 E.V. charging should be in a percentage of the parking stalls.
- 3 Any storm infiltration piped to the street side of the seawall will cause a breach in protection.
- 4 I didnt get to see any floor elevations but I hope all first floors are above flood levels.

Thanks  
David Simpson

