



CITY COUNCIL MEETING MINUTES

Vancouver City Hall – Council Chambers – 415 W. 6th Street
PO Box 1995 – Vancouver, Washington 98668-1995
www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor
Bart Hansen • Bill Turlay • Alishia Topper • Ty Stober • Linda Glover • Laurie Lebowsky

September 17, 2018

WORKSHOPS

Vancouver City Hall - 415 W 6th Street, Vancouver WA

Councilmember Topper absent from workshops.

4:00-5:00 p.m. Council Policy Updates Preview

Presenters: Amanda Delapena, City Council Assistant, 487-8606; Michael Nigrey, Assistant City Attorney, 487-8500.

Summary

Staff continued discussions with Council regarding proposed updates to a series of City Council policies and procedures.

5:00-5:30 p.m. Independence Day Update

Councilmember Glover noted for the record that she sits on the Board of Directors for The Historic Trust.

Presenters: Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606; Mike Williams, Interim CEO for The Historic Trust

Summary

City and Historic Trust staff provided Council with an event report for the 2018 Independence Day celebration at Fort Vancouver and provided an overview of expectations for the 2019 event.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

Birch Conference Room – 5:30-7:00 p.m.

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 7:00 p.m. by Mayor Anne McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Lebowsky, Glover, Stober, Topper, Turlay, Hansen,
Absent: None

Approval of Minutes: August 27, 2018

Motion by Councilmember Glover, seconded by Councilmember Hansen, and carried unanimously to approve the meeting minutes of August 27, 2018.

Proclamation: Suicide Awareness and Prevention Month

Mayor McEnerny-Ogle read and presented a proclamation to Heidi Bjurstrom, Manager of Programs and Volunteers for NAMI Southwest Washington, proclaiming September as Suicide Awareness and Prevention Month for 2018.

Citizen Communication (Items 1-2)

Mayor McEnerny-Ogle opened Citizen Communication and, receiving no testimony, closed Citizen Communication.

Consent Agenda (Items 1-2)

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to approve the Consent Agenda.

- 1. Proposed Partial Removal of a Development Agreement applying to five contiguous properties at 148th Avenue and Mill Plain Blvd**
Staff Report 139-18

Mayor McEnerny-Ogle read the title of the ordinance into the record.

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; partially rescinding a Development Agreement applying to five contiguous properties zoned Community Commercial (CC) at approximately 148th Avenue and Mill Plain Boulevard, specifically 14799, 14800, 14900, 14930 and 15000 Mill Plain Blvd, parcel numbers 167676000, 164700000, 164699000, 167650000, and 167633000; and authorizing the City Manager to enter into a Development Agreement.

Summary

The 2008 DA is derived from a 2002 concomitant rezone agreement which covered two additional properties east of the site, and included additional use restrictions. The site is surrounded by the East Vancouver Police Precinct to the east, a residential subdivision to the north, a credit union to the west and a senior housing facility to the south across Mill Plain Blvd. Within the site the westernmost three of the five properties are undeveloped, while the other two contain a long standing tavern, and a commercial mini-mall built in 2007. Mill Plain Blvd. is a major east-west corridor with existing bus service and planned Bus Rapid Transit improvements, and contains a landscaped center median extending along most of the site frontage.

Proposed Amendments

Based on Council direction, staff recommends amending the DA regarding allowed uses as follows:

- Continue to prohibit 24-hour uses, car washes, auto body shops, auto sales and rental, manufacturing and production, bulk sales and outdoor sales*
- Allow self-storage and non-accessory parking only on parcel #164699000, located behind the mini mall and tavern and removed from Mill Plain.*
- Allow drive through uses and gas stations.*

Other DA provisions would be as recommended by the Planning Commission.

Request: On Monday, September 17, 2018, approve the ordinance on first reading, setting the date of second reading and public hearing for Monday, October 1, 2018.

Bryan Snodgrass, Principal Planner, 487-7946

Motion approved the request.

2. Approval of Claim Vouchers

Request: Approve claim vouchers for August 20, 2018

(Copy available upon request.)

Motion approved claim vouchers for September 17, 2018, in the amount of \$9,313,594.86.

Public Hearings (Items 3-4)

3. Consolidated Annual Performance Evaluation Report Staff Report 140-18

Peggy Sheehan, Community Development Programs Manager, provided staff comments.

Summary

Annually, the City of Vancouver prepares a Consolidated Annual Performance and Evaluation Report (CAPER) for submission to HUD outlining the expenditures and accomplishments of the City CDBG and HOME programs. The 2017 program year covers from July 1, 2017, to June 30, 2018. The CAPER can be found online at www.cityofvancouver.us/cdbg.

In Program Year 2017 Vancouver expended \$1,538,988 in CDBG funds and \$266,950 in HOME funds. These funds were only a portion of the dollars needed for the 2017 projects. The provided funds leveraged additional federal, state, and other local funds, resulting in an approximate leveraging ratio of 1:2 for 2017 CDBG funding and 1:20 for 2017 HOME funding.

The following is a synopsis of the accomplishments and people assisted during the 2017 program year.

Affordable Housing:

- *Tenant Based Rental Assistance (TBRA): Assisted 40 households*
- *Homeowner housing rehabilitation: Assisted 23 households*
- *New Rental units construction: 30 units funded*

Increase Economic Opportunity:

- *Persons assisted: 110 (small business assistance)*

Supportive Services for At-Risk & Homeless Persons:

- *Public Service Activities: Assisted 18,472 persons*

Public Facilities and Improvements

- *Homeless facilities: Assisted 5,213 persons*

Request: Following a public hearing, approve the 2017 CAPER report for submission to the HUD Region X office for approval.

Peggy Sheehan, Community Development Programs Manager, 487-7952

Ms. Sheehan provided an overview of the 2017 CAPER and a synopsis of the projects supported by CDBG and HOME funding.

Mayor McEnerny-Ogle opened the public hearing and received the following testimony:

- Amy Reynolds, Deputy Director of Share, thanked the City for the funding the organization had received and provided a synopsis of how they are using the funding and the leveraging ability it has provided.
- Steve Rusk, representing The Salvation Army, thanked the City for the funding the organization had received and provided anecdotal accounts from clients the organization was able to serve because of the funding.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Councilmember Topper stated that it is clear a lot of good work is being done in regards to affordable housing. She noted that the CAPER reports the City's goals for 2017 and then provides the actuals that were met for various categories of services. She noted that most categories where a goal was not met, staff had included good explanations for why that is the case, except for the category of homeless and special needs homes served. Ms. Sheehan stated that the draft of the CAPER was written a couple of months ago and it is possible that number has been updated since then. She stated she would research the issue and provide Council with an update.

Councilmember Topper also noted that City had set a goal of serving 112 clients with Tenant-Based Rental Assistance (TBRA), but only 40 were served, and staff had explained in the CAPER that housing agencies have been unable to expend the amount of assistance that is available in this area. She asked the agency representatives present if they were still encountering challenges with finding landlords willing to rent to clients utilizing the TBRA voucher program. Mr. Rusk stated it can be challenging not just in finding landlords willing to rent but in finding housing that is truly affordable in general. Ms. Reynolds stated that the situation has improved but the agencies are working with people now who are harder to house for a variety of reasons. She stated some recent state legislation will go into effect the end of September that could help with this.

Motion by Councilmember Topper, seconded by Councilmember Hansen, and carried unanimously to approve the request.

4. Aegis Multi-Family Tax Exemption Agreement

Staff Report 141-18

Councilmember Glover recused herself at 7:28 p.m. from discussion and action on this item, stating she sits on the Board of Directors for The Historic Trust.

Ms. Sheehan and Keith Jones, Senior Planner, provided staff comments. Mike True, representing The Academy, and Aaron Wigod, representing the applicant Marathon Development, provided comments on behalf of the project sponsors.

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with East Evergreen Apartments LLC for property tax exemption.

Summary

An application for multi-family tax exemption under VMC 3.22 has been submitted for the following project. The general intent of multi-family tax exemption ordinance is to encourage development that provides places to live closer to employment, shopping, entertainment and transit services and encourage affordable housing opportunities. In addition to the housing development the applicant is proposing a mix of items considered public benefits noted below.

- *Providing new development in a low/moderate income neighborhood.*
- *Public plaza space with public art and historical information.*
- *Providing LEED certified building*

Aegis Academy Apartments

- *2 buildings of 5 and 6 stories / 162,854 sq. ft. residential development in VCCV sub-district*
- *140 apartment units (28 Studios, 71 1BD/1BA, 41 2 BD/2BA) 12,808 sq. ft. commercial space*
- *151 parking spaces available on-site*
- *Total development cost of ~\$41.36 million*
- *Qualifies for 8-year multi-family housing property tax exemption*

The proposed project is located within the VCCV, one of two eligible target areas designated through the multi-family tax exemption ordinance. The 2007 VCCV subarea plan and Planned Action identified a need of approximately 4,600 new residential units downtown as an essential key to downtown vitality and support of businesses.

The addition of 140 units will add needed rental housing options for area residents.

Request: Subject to public hearing, adopt a resolution authorizing the City Manager or his designee to sign the Multi-Unit Housing Limited Property Tax Exemption Agreement with East Evergreen Apartments LLC.

Peggy Sheehan, Community Development Programs Manager, 487-7952

Mr. Jones provided an overview of the proposed project, noting that the City Council's role regarding this project pertains to the subject multi-family tax exemption agreement. Permitting of the project would fall under administrative review by the City's Development Review Services.

Mr. True and Mr. Wigod provided information pertaining to the history of the project and presented an overview of the features and the proposed public benefits to be included as part of the development.

Councilmember Turley asked what kind of considerations have been made regarding parking and public transit options. Mr. True stated many discussions have occurred regarding parking in relation to the Academy project as a whole. He stated there is still about a year before the development will break ground, which will provide time for the project developers to work with the City regarding the parking transition that will have to occur.

Councilmember Lebowsky stated the plans display a beautiful future development. She encouraged the project staff to reach out to the Clark County Arts Commission to see if there is an opportunity to work with local artists on the public art that will be incorporated into the development.

Councilmember Topper stated she was excited that this project would bring more than 12,000 square feet of commercial space, which would not be part of the tax exemption, to downtown, and would bring in revenue as well as increase the vitality of that part of downtown. She stated she was also very excited about the bike amenities for residents of the future development.

Councilmember Stober stated he loved the amenities and the integration of the project with downtown, especially the public plaza and seating planned for the site. He asked if there was an opportunity to add additional seating, such as benches, along the length of the building as well. Mr. Wigod stated the project was not yet at a place to determine that detail, but such potential benches would be in the public right-of-way, so it would be a decision for the City.

Mr. True thanked Mr. Wigod and Marathon Development for their willingness to go through a very public process in determining the final project, which is not common in the private sector. He stated the project had received support from a number of local agencies and organizations, and because of the public process, the community will see a much better project than originally envisioned.

Mayor McEnerny-Ogle opened the public hearing received the following testimony:

- Pat Jollota, representing The Historic Trust, spoke in support of the project and the MFTE agreement, noting that the tax abatement program has been very important to the Vancouver community and has played a central role in revitalizing downtown.
- Steve Becker, representing Vancouver's Downtown Association, spoke in support of this project and noted the VDA board unanimously voted to support it. He noted there are many communities in Washington with historic projects similar to the Academy that are dying for the kind of partner development like that of this project. He noted that this project pencils out and will ensure the future of the Academy.
- Marianne Russell, representing the St. James Historical Society, spoke in opposition to the project and the MFTE agreement and expressed concerns that the Academy would be blocked from view by the apartment building proposed. She stated the proposed design has been criticized by historic preservation officials because the Academy building will not be in full view.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Councilmember Hansen stated the project looks fantastic and needs to be built, noting that currently there is an unimproved parking lot on the west side and a smokestack on the north side that threatens to fall down. He noted this is a prime location for this kind of development to make improvements to downtown east of Interstate 5 and leading into the Fort Vancouver Historic Site and the West Barracks area.

Mayor McEnerny-Ogle asked staff if the project meets the purpose of the City's tax exemption program. Ms. Sheehan stated it does, as the City's program allows for an exemption on market-rate units so long as the project also provides a public benefit. She noted that because it would be a market-rate project, rents would not be monitored for affordability, but the City does have ordinances in place to protect all renters. She also noted that the project would be paying property taxes for a time, as the exemption does not start until a project is built out and an occupancy certificate has been issued.

Mayor McEnerny-Ogle asked staff how feedback from the Historic Preservation Commission and staff at the Washington State Department of Archaeology and Historic Preservation impacts the project. Mr. Jones explained that the Academy is in an historic overlay zone, and as such City code requires the City consult with the Clark County

Historic Preservation Commission on projects like this. He explained the Commission did not take a vote in opposition to the project, but rather individual Commissioners had provided individual comments. Development Review staff met with the City Attorney's Office regarding these comments and determined that the project does meet the City's code. He noted in regards to views of the Academy, the views only need to be protected, not unobstructed, and he explained that the building setbacks and tearing down the old restaurant building on the south side of the site would satisfy that requirement. Mr. Jones explained the City had also received a letter from the State department of Archaeology and Historic Preservation with some staff suggestions in regards to scaling down the project, but there were no findings included in that letter, nor anything that would suggest the historic status of the Academy would be in jeopardy if this project is built.

Councilmember Lebowsky noted there is a planned action ordinance for this site and the project would fall under a Type 1 administrative review, and as such the applicant was not required to do the extensive outreach that took place with this project. She stated she was very supportive of the action in front of Council and the project in general, noting it is a development that will activate that corner of downtown and help finance preservation of the Academy building.

Councilmember Stober noted that he had observed old churches and historic buildings in Europe that have been dwarfed by modern development, and he does not see that potential with this planned project. He stated he does have concerns about the look of the apartment building, noting he does not like light-colored brick and worries it will not stand the test of time or mesh well with the look of the Academy. He stated he was disappointed the planned development is not incorporating a dark brick exterior.

Motion by Councilmember Hansen, seconded by Councilmember Topper, and carried unanimously adopted Resolution M-3979.

Councilmember Glover returned to the meeting at 8:17 p.m.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Adjournment

8:38 p.m.

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Anne McEnery-Ogle

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Anne McEnery-Ogle, Mayor

Attest:

DocuSigned by:

Carrie Lewellen

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Natasha Ramras, City Clerk

By: Carrie Lewellen, Deputy City Clerk

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