



Staff Report & Recommendations

Paradise Park Site Plan: Type II

Post Decision Review/ Variance/ Road Modification

(2025-002-PST) PST/VAR/MOD

March 21, 2025

<p>PROPOSAL:</p>	<p>The applicant is applying for a Type II Post Decision Review for the following:</p> <p>Type I Variance to allow for a maximum building height of 65-feet instead of the approved 60-foot height requirement for the proposed hotel.</p> <p>A road modification has been submitted with this application to modify the required accessway/block every 400 feet and to exempt the applicant from providing an A-street along the eastern edge of the site.</p> <p>A correction for the landscape buffers noted in Land Use Conditions 22 & 36 of the final decision.</p>
<p>LOCATION:</p>	<p>Address not assigned – Parcel 209708000 - SW ¼, Section 4, Township 4, Range 1 East of the Willamette Meridian</p>
<p>APPLICABLE STANDARDS</p>	<p>The application will be reviewed for compliance with the La Center Municipal Code (LCMC): Title 12, Streets, Sidewalks & Public Ways; Title 18, Development Code Chapters: 18.30, Procedures; 18.30.150, Post-decision Review; 18.158, La Center Junction Plan Zoning District; 18.260, Variance;</p>
<p>RECOMMENDATION:</p>	<p>APPROVAL, subject to conditions</p>

CONTACT LIST

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OVERVIEW

The Paradise Park Site Plan was approved under 2024-019-CUP/PSR/PLD on December 17, 2024.

The project includes a phased commercial development on 3.36-acres. The preliminary approval includes a 3,900 square foot commercial building (specific use to be determined), a 2,200 square foot quickserve restaurant (QSR) with indoor seating and drive-through service, and a 109-unit 5-story hotel with associated parking.

The applicant requests the following to be reviewed as a Type II Post Decision Review, Variance, and Road Modification:

1. A variance to the height limit restricting the hotel to 60 feet. The applicant is requesting a Variance to allow for a 65-foot height limit.
2. A road modification to the LCMC 18.158.030(1)(b) requirement of an accessway/block every 400 feet and Figure 18.158.020-3 showing an A-street along the eastern edge of the site due to topography, wetlands and a stream corridor blocking potential accesses.
3. A request to revise Land Use Conditions 22 & 36, as a correction to landscape buffer requirements discussed at the land use hearing.

Public Notice

The Type II notice of application was mailed to property owners within 300 feet of the site on February 26, 2025. The comment period ended on March 12, 2025.

Public Comments

On March 12, 2025, staff received an email from Shana Lombard, Enrolled Member of the Cowlitz Indian Tribe.

The Cultural Resources Department of the Cowlitz Indian Tribe would like to state its interest.

The Cultural Resources Department of the Cowlitz Indian Tribe requests Formal Consultation on this project.

The City of La Center may only review comments associated with the submitted variances and road modifications. The City may not add archaeological conditions into the record for this post decision review, however, these same comments were already received and are apart of the original record for Paradise Park Site Plan 2024-019-CUP. Conditions were already incorporated in the original decision and have been noted below.

SEPA (MDNS) Documentation and Mitigation Conditions for Project 2024-019-CUP:

16. Historic and cultural preservation: In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100'buffer; this number may vary by circumstance) must stop and the following actions taken:

- a. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
- b. Take reasonable steps to ensure confidentiality of the discovery site; and,
- c. Take reasonable steps to restrict access to the site of discovery.

17. The applicant shall notify the Concerned Tribes and all appropriate county, city, state, and federal agencies, including the Washington Department of Archaeology and Historic Preservation and the City of La Center. The agencies and Tribe(s) will discuss possible measures to remove or avoid cultural material and will reach an agreement with the applicant regarding actions to be taken and disposition of material. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribes will take place in order to mitigate the final disposition of said remains.

18. See the Revised Code of Washington, Chapter 27.53, "Archaeological Sites and Resources," for applicable state laws and statutes. See also Washington State Executive Order 05-05, "Archaeological and Cultural Resources." Additional state and federal law(s) may also apply. Copies of the above inadvertent discovery language shall be retained on-site while project activity is underway.

Contact	Information
Cowlitz Indian Tribe, Nathan Reynolds, Interim Cultural Resources Manager	Phone: 360-575-6226; email: nreynolds@cowlitz.org
City of La Center, Tracy Coleman, Public Works Director	Phone: 360-263-5189; tcoleman@ci.lacenter.wa.us
Office of the Clark County Medical Examiner (for human remains)	Phone: 564-397-8405; email: medical.examiner@clark.wa.gov
Washington DAHP, Dr. Allison Brooks, Ph.D., Director	Phone: 360-586-3066; email: Allyson.Brooks@dahp.wa.gov

Land Use Analysis

LCMC 18.30.150 Post Decision Review

A pre-application conference is not required for a Post Decision Review. The applicant applied for a Type II Post Decision Review, Variance, and Road Modification on January 15, 2025. The project was deemed Technically Complete on January 28, 2025. A public notice of application was mailed on February 26, 2025 and the comment period ended on March 12, 2025.

According to LCMC 18.30.150(5)(e) - An application for post-decision review of a Type III decision shall be subject to a Type II review process if the Director finds the requested change:

- (i) Does not increase the potential adverse impact of the development authorized by the decision or SEPA determination;

(ii) Is needed to address a minor change in the facts or the law, including permits to which the development is subject; and

(iii) Does not involve an issue of broad public interest, based on the record of the decision.

Staff has determined that a Type II Post Decision Review is appropriate.

The applicant is requesting a Type II Post Decision Review to correct land use conditions 22 & 36 found in the Land Use Decision issued on December 17, 2024 (Paradise Park Site Plan 2024-019-CUP/PSR/PLD

1. Correction for Land Use condition 22 of the Paradise Park Site Plan Final Decision:
Land Use condition 22 reads; (The applicant shall install a L4 landscape buffer on the southern and western perimeter of the site), according to Table 18.245.060 the required landscape buffer for properties located in the JP (Junction Plan) zone that abut properties located in the JP zone require an L1-5-foot buffer.

Staff determines that the applicant shall install a L1-5 foot buffer on the southern and western perimeters of the site prior to occupancy

2. Correction for Land Use condition 36 of the Paradise Park Site Plan Final Decision:
Land Use condition 36 of decision 2024-019-CUP reads; a 0-6 foot wall along the RBL with enhanced vegetation and the required L-4 landscape buffer shall be installed prior to occupancy). Condition 36 is incorrect and should reflect LCMC Table 18.245.060 and require a L1-5-foot landscape buffer.

Staff has determined that a 0-6 foot wall along the (RBL) with enhanced vegetation and the required L-1-5 foot landscape buffer shall be installed prior to occupancy..

18.260 Variances

The approval criteria for a variance in the City of La Center are set forth in LCMC 18.260.040: The review authority shall approve or approve with conditions an application for a variance if he or she finds the applicant has sustained the burden of proving that:

- (1) Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement;
- (2) The unusual circumstance cannot be a result of actions taken by the applicant;
- (3) The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;

(4) The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section;

(5) Any impacts resulting from the variance are mitigated to the extent practical;
And

(6) The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.

1. A Type I variance to the 60-foot maximum height found in Table 18.158.040-1(a)(i), is requested to allow a 65' tall building without underground parking.

This request is justified based on topography, wetlands, stream corridor, and constraints resulting from the narrow configuration of the lot.

Note 3 of Table 18.158.040-1(a)(i) would allow a 65-foot-high building with underground parking. Underground parking is not needed to fully meet the parking requirements of the development. The request is an 8% height increase over the maximum height requirement allowed without underground parking. As noted above, there are unusual circumstances relating to topography based on the long narrow configuration of the lot, the wetlands and stream corridor and the poor visibility down La Center Road justifying a very small increase in the building height.

Table 18.158.040-1(b)(ii) requires a 12-foot ground ceiling height and Table 18.158.040-1(c)(ii) requires a 10-foot ceiling height for other floors. Ceiling heights of 12 feet on the ground floor and 10 feet on the other floors are not really needed for this type of development but they will make the building higher than it would need to be with slightly smaller ceiling heights. Compliance with these ceiling heights increases the need and justification for variance to the overall height of the building. Due to the shape of the property, the environmental constraints and topography, and ceiling height requirements Criteria 1, 2, & 3 are met.

This increase being less than 10% over the 60-foot standard that can be developed without structured parking, and the property is adequately parked, there are no unmitigated detrimental impacts. Thus, Criteria 4, 5 and 6 are met.

Staff finds that the applicant has demonstrated that the approval criteria 1-6 per LCMC 18.260 will be met with the construction of the development and recommends approval to allow for a 5' increase in building height.

2. Variance to the LCMC 18.158.030(1)(4) requirement of an accessway/block every 400 feet and Figure 18.158.020-3 showing an A-street along the eastern edge of the site due to topography, wetlands and a stream corridor blocking potential accesses.

The unusual circumstances justifying this variance include the topography of the property, which is a long narrow lot facing La Center Road, with a stream corridor and wetland at the

east end of the property running diagonally from La Center Road to the southwest near the middle of the property.

The site plan shows the proposed access to the property at a minimum safe distance from the La Center Road/Paradise Park Road intersection. If the applicant installed a second access 400 feet or more to the east of the proposed access, it would not be possible to connect to surrounding properties because of the stream corridor and wetland, which block access in a southerly and easterly direction. There is also a storm pond blocking access to the south.

Transportation Capital Facilities Plan (CFP) recommends that roads connect Major Arterials with less than 600-foot spacing. The Junction Code was developed before the CFP was updated. The spacing between Paradise Park Road and Avenue A does not meet the safe distance of intersection spacing per the CFP and Engineering Standards.

The applicant is providing access to NW Paradise Park Road at the southwest corner of the Property, and on La Center Road. The applicants traffic report justifies these driveway access points.

The variance does not require access to the east edge of the applicant's property, per the junction code, it is a reasonable request and is acceptable. Staff finds the variance approval criteria 1-6 is met.

CONCLUSIONS & RECOMMENDATION

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code. The subject application should be **APPROVED, SUBJECT TO THE CHANGES IN THE ORIGINAL CONDITIONS OF APPROVAL AS NOTED:**

Land Use Condition 22 2024-019-CUP shall be changed to read:

The applicant shall install a L-1-5-foot Landscape buffer on the southern and western perimeters of the site.

Land Use Condition 36 of 2024-019-CUP shall be changed to read:

A 0-6-foot wall along the (RBL) with enhanced vegetation and the required L-1-5 foot landscape buffer shall be installed prior to occupancy.

APPEALS

The applicant, applicant's representative, or any person, agency or firm with an interest in the matter may appeal the Critical area decision. The appellant shall file the appeal together with the requisite fee and information within 14 calendar days of the date of the decision being appealed. (18.030.130 LCMC.)

Angie Merrill Date: 3/21/25

Angie Merrill
Associate Planner
City of La Center

Anthony Cooper Date: 3/21/25

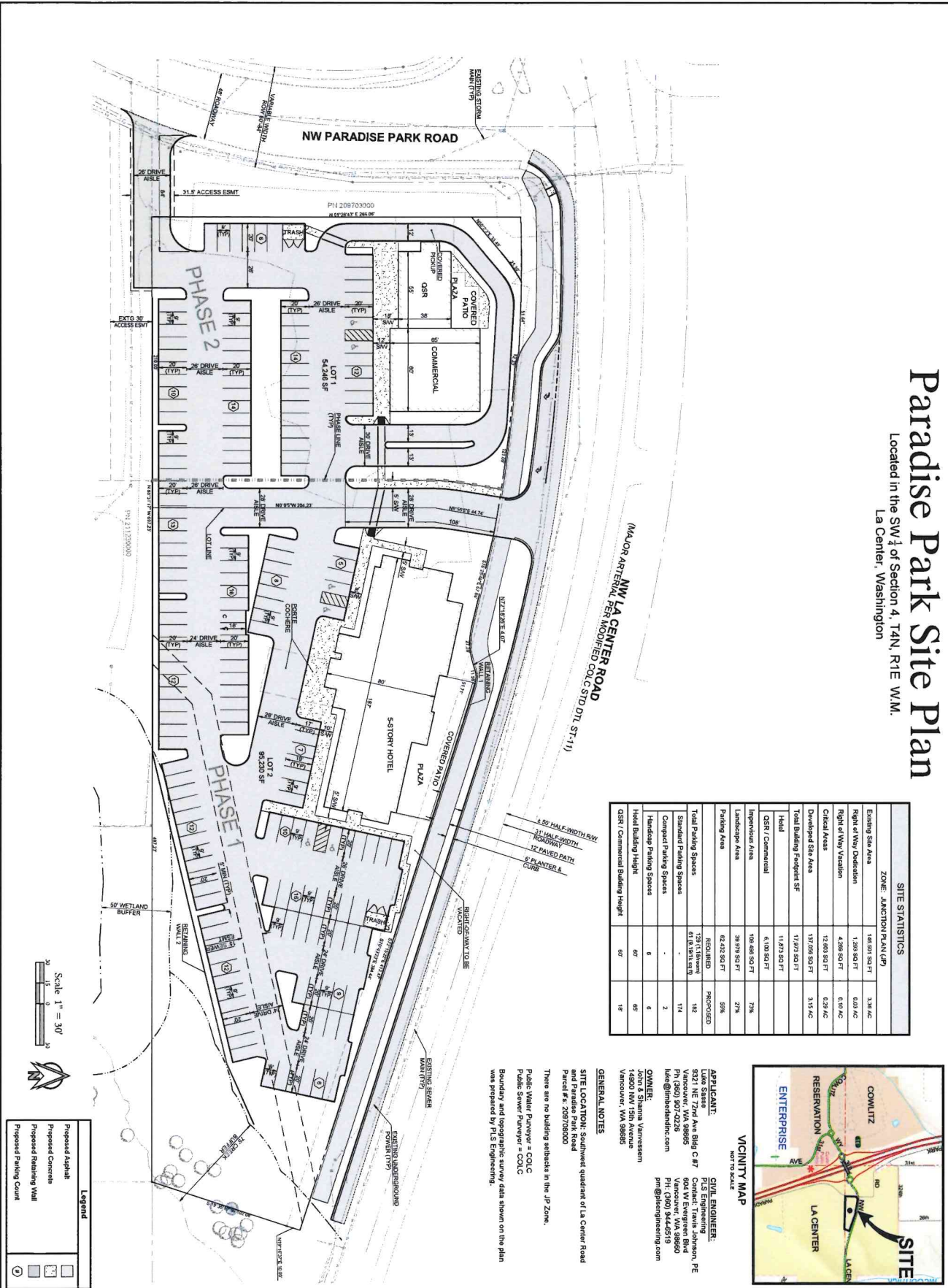
Anthony Cooper, P.E.
City Engineer
City of La Center

Tracy Coleman Date: 3/21/25

Tracy Coleman
Community Development & Public Works Director
City of La Center

Paradise Park Site Plan

Located in the SW 1/4 of Section 4, T4N, R1E W.M.
La Center, Washington



SITE STATISTICS	
Existing Site Area	146,091 SQ FT
Right of Way Deduction	1,200 SQ FT
Right of Way Vestition	4,298 SQ FT
Critical Areas	12,600 SQ FT
Developed Site Area	137,056 SQ FT
Total Building Footprint SF	11,873 SQ FT
Hotel	11,873 SQ FT
OSR (Commercial)	6,000 SQ FT
Impervious Area	109,468 SQ FT
Landscape Area	38,979 SQ FT
Parking Area	62,023 SQ FT
Standard Parking Spaces	182
Handicap Parking Spaces	2
OSR (Commercial Building Height)	67'



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CIVIL ENGINEER:
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Phone: (360) 544-6519
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GENERAL NOTES:
SITE LOCATION: Southwest quadrant of La Center Road and Paradise Park Road
Parcel # = 209708000
There are no building setbacks in the 3P Zone.
Public Water Purveyor = COLIC
Public Sewer Purveyor = COLIC
Boundary and topographic survey data shown on the plan was prepared by P.L.S. Engineering.

Scale 1" = 30'

Legend

- Proposed Asphalt
- Proposed Concrete
- Proposed Retaining Wall
- Proposed Parking Count

Project No.	2024
Scale	1" = 30'
Drawn By	PLS
Checked By	PLS
Approved By	PLS
Date	03/10/24

Revisions	Date	By
1		
2		
3		
4		
5		
6		
7		
8		
9		

Preliminary Site Plan & Short Plat For: Paradise Park Site Plan

A Site Located In The City Of La Center, Washington

