

## REBUTTAL TO APPEAL24-1001 STAFF REPORT

1. "1<sup>st</sup> paragraph of the Summary states that a gas station, convenience store and drive-through car wash are permitted per Table 1 CMC 18.07.030 are allowed within BP zone." A car wash is NOT listed in Table 1. The ONLY car wash in the City of Camas is in zoning Community Commercial, CC.
2. "Water pollution": The discussion around stormwater control does not address the proximity to the closest of the over 50 drinking water well heads nearby. Per the Washington Department of Health's Sanitary Control Ares document, the distance has to be greater than 100'. There can be no source of pollution within these 100'. Best Management Practices are applicable if prevention is not possible. In this situation the prevention that the regulations call for, is to not allow such a project in this location in the first place.
3. "Noise": The pre-existing road noise is created by vehicles passing by as commuters use the arterial without stopping, unless the signal light turns. This project would add hundreds of more daily trips and stops, each stopping, entering, exiting, turning engines on and off. It would have delivery trucks for each line of food and alcohol categories arrive and depart. The car wash would create swooshing, dinging noises and the vacuums would create loud vacuum noises. Omitting and minimizing this exponential noise pollution is egregious. Just because noise from commuters exists, does not give permission to exacerbate the condition.
4. "Light": The section 18.19.050 refers to Design Principles, However, section CMC 18.21.060 Site development criteria, it states that Site and building lighting shall be designed to minimize glare or objectionable effects to the adjacent properties. Residential neighborhoods are of particular concern. There is light pollution from two sources: One is the building, the gas pump canopy and the sign. The second which not being addressed in the staff report, is the light pollution caused by the new trips/stops by vehicles, which ordinarily would only travel in the east-west direction. By entering and exiting their light with EACH vehicle will shine into the north and west residential properties.
5. "BP – is an auto oriented use" According to Table 1, NOT anything related to autos is permitted in BP zone. If someone would only want to build a car wash, which zoning is approved by the City without being mentioned in Table 1. Table lists nearly any business imaginable and give guidance for the permitted zoning. The precedent has been set by only having a car wash in the the CC – Community commercial zoning. A car wash uses chemicals that are similar to those used in commercial dry cleaning business to remove grime from tires. A commercial dry cleaning business is not allowed in the BP zone due to the toxicity of the chemicals. The chemicals used would not be permitted to be sold within the convenience store. ....
6. "Dangerous intersection/Access standards" It is clear that the 660' access standard cannot be met. Ironically in the last sentence the report states that the standard is met! To be clear, the standard not being met. The city is jeopardizing the safety of this already dangerous and busy intersection to grant a deviation to the access standard. With the newly proposed median/left turn lane into the proposed gas station, the city is only addressing the access to the gas station. It does not address how the residents in the neighborhood to the north and their services (garbage, mail, etc.) can make a safe left turn from eastbound to northbound. How could eastbound and westbound cars share the same median. This median just made it worse. There

is also no bike lane on the north side of NE 13<sup>th</sup> in the proposal as needs to be included, per Camas City code for arterials.

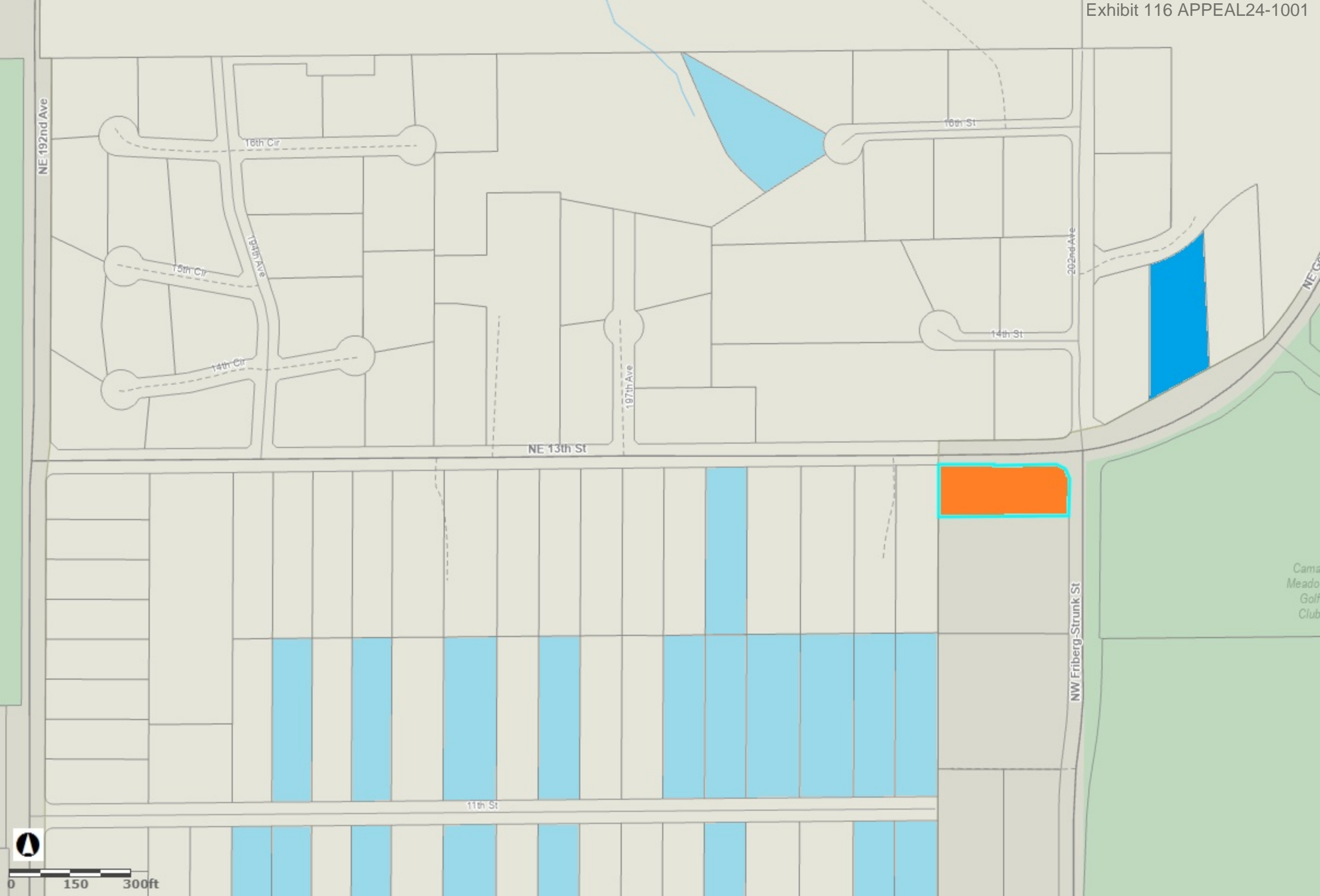
7. "Traffic study" We hired our own traffic engineers to evaluate the accuracy of the Charbonneau 2023 TIR. They found significant errors and their report has been submitted to the hearings examiner.
8. "Ingress-egress" A right-in right-out only option may reduce rear-end collisions caused by stacking cars approaching west-bound. It will severely negatively impact traffic to the High school, school bus traffic and stacking of cars along residences on NE 13<sup>th</sup> Street. It will also affect cars waiting to turn southbound from westbound traffic and cause illegal U-turns.

REBUTTAL TO STAFF REPORT & DECISION 13th Street Gas Station  
File Number SPRV23-06 (CONSOLIDATED FILES: ARCH23-07, CA23-08, DR23-09,  
SEPA23-12) *Type II* Decision Date: September 16, 2024:

1. Page 1: Table 1 of CMC 18.07.030, does NOT list a car wash to be allowed in BP zoning. The only other car wash in Camas is in CC (community commercial) because BP is a park-like setting per Camas definition (p1128)
2. The Staff report only addresses the environmental concerns during the construction and demolition through recommendations of other agencies. However the staff did not address the environmental issues that will be present during the business operation, once the business goes live. They did not consult agencies to request input on the feasibility and safety of the proposed project in this location.
3. Page 2: Add that convenience store will sell alcoholic beverages
4. Page 2: All comments submitted were opposing this development. If there was a single comment in favor, then please rephrase your summary statement to accurately reflect that the vast majority is against this project.
5. Page 2: The CAR was conducted on the project site, yet just 20' west from the property boundary is either a wetland (or a spring?) per the Department of Ecology and 75' west of the property boundary is a drinking water well
6. Page 2: The revised SEPA did not take the drinking water safety of the wells of the adjacent parcels into consideration, despite comments by numerous affected residences.
7. Page 4 Zoning: Listing the "Comprehensive Plan" instead of the actual definition is problematic. More accurately it should read: Per CMC **18.37.010** - The Business Park (BP) district is intended to provide for employment growth in the city by protecting industrial areas for future employment. Design of business park facilities in this district will be "campus-style," with landscaped buffers, and architectural features compatible with, and not offensive to, surrounding uses. Fact: A gas station does not provide a campus-like impact on the surrounding area and it is offensive to the surrounding homes. The intent of BP zoning is not met for placing a gas station near residential homes.
8. Page 4: The "provides employment" statement is also problematic, because a typical gas station/convenience store has 5 or fewer employees on site. This represents a miniscule result for job creation on a one acre parcel.
9. Page 4: A gas station is also not meeting the Land use definition LU-2.5 of being compatible with adjacent neighborhoods.
10. Page 5: Parking: If the car wash were to only requires 1 parking space for 2 employees, it is curious to imagine how the second employee would get to work, because there are only side-walk to the south, unless they would walk along the dangerous NE 13<sup>th</sup>/Goodwin Rd. arterial.

11. Page 5 Parking: The 50' setback requirement, disallows parking spaces to be built within this area. If this setback requirement is not upheld, it implies a favor to the developer and a disfavor to the surrounding properties. Rephrasing the setback to occur from the ingress is misleading. The setback requirement from the road should be upheld.
12. Page 6: Roads: CDSM should include a bike lane in both directions, the current proposed road improvements fail to include a west bound bike lane. Please revise the road construction to include the west-bound bike lane.
13. Page 10: Fueling trucks cannot be permitted to deliver outside of City of Camas's business hours due to the noise and light impact on surrounding residences. Regular business hours per CMC are from 7:00 a.m. to 10:00 p.m. and the fuel tanker truck delivery has to occur during business hours. The gas station hours need to be adjusted to accommodate the delivery of all their goods, through undoubtedly many trucks, during regular business hours. Allowing operation outside of business hours would be viewed as providing a favor to the project developer while disregarding the surrounding residential area, which would be a break from the BP zoning definition.
14. Page 11: We respectfully disagree that 2023 and 2024 traffic counts are the same. Fact: New traffic in 2024:
  - a. The new Oak Tree Food truck station opened summer 2024
  - b. the high cube warehouse which became occupied in 2024 and has semi-trucks entering and exiting (large Interstate Battery distribution center),
  - c. residential traffic to more newly constructed homes along former Green Mountain golf course
  - d. construction traffic for 2 Camas Meadows Golf course communities
15. page 12: Developer should be required to provide updated traffic counts to Clark County and City of Vancouver just prior to development start or upon building permit approval because the current dollar amounts are significant lower than the actual counts will be when the project is ready for construction or business opening. The former owner of the parcel, Mr. Warren Townsend, is still living on the property in the single-family dwelling. He is permitted to stay as long as he likes. The project construction may be a number of years into the future and therefore the fees should be adjusted accordingly. Fixing the fees at this early stage may be viewed as a favor to the applicant.
16. Page 18: The Oak Tree station on the south end of Friberg/Strunk Rd. has managed to maintain the Oak Tree on their site. There is a valuable Natural feature on this parcel: the white oak. It is inaccurate to state "There are no significant natural features on site." Camas has a description of maintaining tree canopy in their Comprehensive Plan, but if Camas allows the removal of

- an oak tree and then allows the purchase of "oak tree credits" outside the City, how is that preserving the tree canopy, per the vision?
17. Page 19: Outdoor lighting: Lighting will not only be generated by the building the pump station canopy, but foremost by vehicles entering and exiting, shining their lights in the surrounding neighbors yards to the north and west and southwest, completely denying the right to quiet enjoyment per CMC for residential neighborhoods. The current description is inadequate and does not effectively address the prevention of light pollution generated by cars entering and exiting: **"Outdoor lighting shall not be directed off-site.** The applicant's narrative indicates that the lighting plan meets the minimum safety standards and outdoor lighting will be shielded to prevent off-site light intrusion to the greatest extent possible. Landscape, parking lot and/or building lighting shall be directed, hooded, or shielded away from surrounding properties and is conditioned as such." The remedy may be very tall walls. Furthermore, all lights, including signage lights, should be completely shut off when the gas station closes for the night, similar to the gas station on 192<sup>nd</sup> Ave. across from QFC.
18. The staff report does not address noise – please see our comments on the SEPA response. Noise nuisance is not allowed per a CMC, and code enforcement in Camas is carried out by the police department, which may be overburdened when called to curtail the music/raucous created by customers of the gas station.



NE 192nd Ave

16th Cir

15th Cir

197th Ave

14th Cir

197th Ave

NE 13th St

16th St

202nd Ave

14th St

11th St

NW Friberg-Strunk St

Cama  
Meadows  
Golf  
Club



0 150 300ft

**WAC 173-160-171****What are the requirements for the location of the well site and access to the well?**

(1) The proposed water well shall be located where it is not subject to ponding and is not in the floodway, except as provided in chapter **86.16** RCW.

(2) It shall be protected from a one hundred-year flood and from any surface or subsurface drainage capable of impairing the quality of the groundwater supply.

(3) All wells **shall not** be located within certain minimum distances of known or potential sources of contamination.

(a) Some examples of sources or potential sources of contamination include:

(i) Septic systems, including proposed and reserve sites under a valid septic design: Provided, that the design has been approved for installation by a health authority;

(ii) Manure, sewage, and industrial lagoons;

(iii) Landfills;

(iv) Hazardous waste sites;

(v) Sea/salt water intrusion areas;

(vi) **Chemical and petroleum storage areas;**

(vii) Pipelines used to convey materials with contamination potential;

(viii) Livestock barns and livestock feed lots.

(b) **Minimum set-back distances for water wells** other than for public water supply are:

(i) Five feet from any existing building structure or building projection. Water wells shall not be located in garages, barns, storage buildings or dwellings. When locating a nonpublic water well adjacent to a building, the well location shall be measured from the building sewer and closest building projection.

(ii) Fifty feet from a septic tank, septic holding tank, septic containment vessel, septic pump chamber, and septic distribution box.

(iii) Fifty feet from building sewers, public sewers, collection and nonperforated sewer distribution lines except building drains.

(iv) One hundred feet from the edge of a drainfield, proposed drainfield which has been approved by a health authority, and reserve drainfield areas.

(v) **One hundred feet from all other sources or potential sources of contamination** except for solid waste landfills.