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1 INTRODUCTION

Overview

Clark County (the County) has begun a master planning process that will help guide decisions about the future use of five properties located 9411 NE 94th Avenue in unincorporated Clark County, Washington. The Leichner Campus and Fields Master Planning Area (the Planning Area; see Figure 1) includes four County-owned and one privately owned property comprising approximately 137 acres. The Planning Area will be developed in several phases (see Figure 2). The primary focus of this initial effort is to scope potential redevelopment options for two of those properties, the Leichner Campus and the Fleischer Property, in order to realize economic development and community benefit goals. The redevelopment of these properties will help catalyze future improvements on adjacent properties and throughout the rest of the Planning Area.

Purpose

The purpose of this reuse analysis is to characterize existing conditions in the Planning Area and identify reuse opportunities specific to the Fleischer Property and Leichner Campus. An areawide approach has been taken to better understand how these improvements could lead to future, phased development on the Leichner Fields Property and the Residential Property, as well as the extension of the 99th Street right-of-way (ROW). Areawide improvements will be particularly critical to development of the Leichner Fields Property, which formerly operated as the Leichner Municipal Waste Landfill. Although the landfill is closed, current structural and financial considerations make the near-term development of Leichner Fields unlikely. Adjacent development will contribute to improvements surrounding the closed landfill until it is suitable for redevelopment.

Table 1. Leichner Campus and Fields Master Plan Properties

Property	Parcels	Acreage	Ownership	Development Timeline
Leichner Campus	199845-000, 199863-000, 105740-000	35.03 acres	Clark County	Near term
Fleischer Property	199851-000, 199854-000, 199861-000	9.4 acres	Fleischer Family (private ownership)	Near term
Future 99th Street ROW	199856-000	11.03 acres	Clark County	Mid-term
Residential Property	199865-000, 199866-000	7.96 acres	Clark County	Mid-term
Leichner Fields Property	199869-000, 199843-000, 199858-000	74.14 acres	Clark County	Long term

2 BACKGROUND

The Planning Area is located at 9411 NE 94th Avenue, approximately 7 miles northeast of downtown Vancouver and 0.3 mile north of the Padden Parkway (see Figure 3). The northern boundary of the site extends just beyond what is planned as the future extension of NE 99th Street.

The Planning Area includes multiples parcels comprising approximately 137 cumulative acres of industrial and residential-zoned land (see Figure 1). The Planning Area includes:

Leichner Campus (Koski Property)—The Leichner Campus property is located south and west of Leichner Fields and consists of 35 acres of vacant land. The Leichner Campus and Leichner Fields properties were purchased by the County in December 2012. The two properties are currently fenced, with limited access through four gates. Gravel roads provide vehicle access to the properties.

Fleischer Property—The Fleischer Property is 9.45 acres of privately owned land and is the subject of a County-led Integrated Planning Grant project. It is bounded to the west by NE 94th Avenue, to the north by privately owned land leased to Waste Connections for industrial use, to the south by Leichner Campus, and to the west by Leichner Fields.

Future 99 Street ROW—This area constitutes the future extension of NE 99th Street. Construction is anticipated within the next eight to ten years; however, no funding has been allocated for the project to date. This area constitutes 11 acres and separates the Residential Property from the rest of the Planning Area.

Residential Property—The Residential Property, situated just north of the Future 99 Street ROW, consists of 8 acres of land zoned single-family residential. The current zoning coincides with the intended future use.

Leichner Fields (Closed Landfill)—Leichner Fields makes up 74 acres of the Planning Area. The property is owned by the County and has no vertical development. Because of physical constraints, the property is anticipated to be utilized as open space or surface parking, supporting future development on the adjacent properties, until redevelopment of the landfill is deemed financially viable.

Currently, the Planning Area is vacant and primarily covered in native grasses, except for the Fleischer Property, which contains one dilapidated, residential structure and several small outbuildings in similar deteriorated condition.

2.1 HISTORY OF PLANNING AREA

A large portion of the Planning Area consists of Leichner Fields, which formerly operated as the Leichner Landfill (Facility Site ID 1017). The landfill was previously owned and operated by the Leichner Brothers Land Reclamation Corporation. Historical records for this property indicate the following:

- The property was used for sand and gravel mining in the late 1930s.
- The property was later converted to a municipal landfill receiving solid waste from residential and commercial customers located within the city limits of Vancouver and parts of unincorporated Clark County, as well as other cities and towns in Clark County.
- Prior to the mid-1960s, waste received at the landfill was burned. The burning of waste was terminated in the mid-1960s.
- The landfill was owned and operated by Leichner Brothers Land Reclamation Corporation (LBLRC).
- Groundwater contamination was discovered at the Landfill in 1981.
- In 1987, the Washington State Department of Ecology (Ecology) issued a Consent Order which required extensive monitoring of the site.
- In 1988, the City of Vancouver (City) and Clark County (County) entered into the first of a series of agreements with LBLRC to ensure funding was available to close the landfill and complete post-closure maintenance.
- The Landfill closed on December 31, 1991.
- LBLRC entered into a Consent Decree with Ecology in 1996.
- The County acquired the landfill property and the adjacent Leichner Campus (Koski Property) in 2012.
- The former landfill is now jointly managed by Ecology, LBLRC, the City, and the County through a series of agreements, including a Consent Decree dating back to 1988.

The Fleischer Property historically was used for agricultural purposes and fertilizer processing. Historical records indicate the following:

- The property was first developed sometime between 1940 and 1945.
- Fill material (reportedly pulp mill clarifier sludge) was placed on the property between 1964 and 1973.
- In 1977, the property was purchased by the current owners.
- Some of the fill material was removed between 1980 and 1990.

- The property appears to have remained relatively unchanged since 1996, in most part because of the presence of environmental contamination.

The Fleischer Property is currently underutilized. Acquisition of the Fleischer Property is complicated by evidence of polychlorinated biphenyl (PCB) contamination in surface soil. The nature and extent of the contamination has not been characterized, and investigation is needed in order for the County to consider acquisition and redevelopment of the property. Additional investigation will be performed through an Integrated Planning Grant program funded by Ecology.

2.2 PREVIOUS PLANNING EFFORTS

In 2012, the County embarked on a series of due diligence activities for the acquisition of the Leichner Campus and Fields (formerly Koski Property and Leichner Landfill). The County conducted a fatal flaws analysis that provided a mid-level overview of potential reuse options and identified alternatives warranting additional investigation. Fatal flaws identified in the study focused on engineering, permitting, and financial risks associated with development on the closed landfill, but noted the economic development potential of vertical development on the adjacent properties. The report recommended consideration for low-impact recreation and solar energy generation on Leichner Fields and light industrial development on the Leichner Campus.

2.3 REDEVELOPMENT POTENTIAL

This study and previous planning efforts indicate the following:

- The former landfill area is not expected to be available for a reuse that would involve significant structures. It is possible that some passive recreation-related uses, together with at-grade parking, might be considered on this portion of the site.
- However, recreation uses, such as sports fields that involve flat sites, are not likely to prove viable. This is because the capped site is mounded rather than level. Further leveling of the site without penetrating the existing landfill cap is not expected to prove viable from the joint perspectives of acceptable financial feasibility and risk management.
- Based on the Consent Decree and previous planning efforts, it appears that the only portion of the industrially designated acreage suitable for future development with significant structures is the Leichner Campus, Fleischer, and residentially zoned properties.

Placement of additional fill on the Leichner Campus site may be needed before industrial or related development can take place. Development will be possible to the extent that this property is released from restrictive provisions of the existing Consent Decree, or via other, similar, permissive amendments.

3 MARKET CONDITIONS

A preliminary market assessment was conducted to evaluate a wide range of potential development options in the Planning Area: industrial, flex, office, retail, single-family residential, recreation/open space, and mixed use (Appendix A). Although the study considered implications for the entire Planning Area, the initial findings focus primarily on the near-term redevelopment of the Leichner Campus and the Fleischer Property.

3.1 MARKETPLACE ADVANTAGES

The Planning Area possesses the following key advantages:

- Proximity to the I-205/I-5 freeway system, providing good access north to the Puget Sound, east via I-84, and south to the Portland International Airport, Willamette Valley, and California
- Access to a good blue-collar and service labor force
- Availability of expansive areas of open space, suitable for either large-scale redevelopment or recreational space in proximity to an established neighborhood centrally located in the county
- Outstanding clear-weather views of Mount St. Helens

3.2 MARKETPLACE DISADVANTAGES

The Planning Area must contend with the following challenges:

- Unique configuration of the Leichner Campus Property, characterized by a rather narrow configuration and limited street frontage
- Immediate proximity to residential areas, creating possible land use conflicts with industrial development
- Relatively low market rents and high vacancies for commercial flex and office uses
- Environmental and topographic constraints pertaining to the Leichner Fields Property
- Issues related to the proximity of potential new development and the closed landfill

3.3 MARKET VIABILITY

The preliminary market study considered trends in three geographic market areas: the Leichner submarket area, Clark County, and the Portland-Vancouver metro area. The study summarized potential reuse options with each of these markets in mind.

Industrial

Industrial demand for space in the Leichner submarket area appears to be robust compared to the rest of Clark County and the metro region. The area's proximity to the freeway system presents opportunities for distribution and shipping. The Planning Area is also well positioned to draw from a substantial blue-collar labor force nearby.

Flex Space

Flex space appears feasible for the Leichner Campus Property; however, near-term vacancies and lower rents present some challenges. Earlier construction might take place as a build-to-suit or pre-lease for a specific user. Curb appeal and a master planned development image will be important in securing flex development over a traditional industrial use.

Office Space

Because of limited existing submarket presence coupled with high vacancies and low rents, office space is not anticipated to be a major component of demand for the Leichner Campus Property. Suitability of the site is further limited by the relatively deep configuration of the site with limited street exposure. Except for the possibility of a large back-office operation that does not require strong street visibility, primary office use is likely to be ancillary to a major industrial user or as a limited component of a multi-tenant industrial park development.

Retail

The Planning Area is currently not well situated, zoned, or configured for extensive retail development. Limited retail may be possible on a small-scale, infill basis, e.g., providing ancillary support to on-site industrial, flex, and possibly office employment. The most likely location for retail is on the west side of the Leichner Campus and Fleisher properties because of the visibility from NE 94th Avenue. Attractiveness of this corridor for retail may be enhanced with street corridor improvements planned for 2015. Service retail uses (such as a small fitness center or copy/print/mail center) also might be possible at the interior of the site if included as tenants in a larger industrial or business park development. Relatively low rents suggest a fairly utilitarian retail/support use.

Land Valuation

- Current tax assessed land values for industrially designated properties were evaluated for properties adjoining the former landfill but which are not subject to the Consent Decree. Assessed land values ranged from \$2.50 to \$3.00 per square foot.
- Between 2011 and 2014, there were 12 industrial land sales transactions in Clark County for parcels ranging from 5 to 20 acres. Land values ranged from less than \$1.50 to nearly \$6.00 per square foot, averaging about \$3.00. The tax assessed land value was somewhat less at \$2.25.

Residential

As of 2013, new homes in the immediate area appear to support pricing in the range of \$250,000. To the extent that housing at the northern edge of the Planning Area can be developed and marketed as providing added amenity value, it is possible that a higher-end product (with more square footage and/or higher value per square foot of structure) could be supported. The extent to which this is possible likely depends on purchaser perceptions of the amenity of being proximate to a potential recreation and open-space amenity versus concerns over direct or indirect landfill contamination or monitoring-related activities into the future.

Open Space

While preliminary data indicate a relative surplus of park-related land in the subarea (as compared with all of Clark County), there may still be opportunity for additional park area development and open space. Park-related preservation of the former landfill could serve recreation needs of adjacent development or serve larger regional needs for passive open space and associated event use.

Mixed Use

The form of horizontal mixed use that appears most viable likely would involve an industrial-led development on the Leichner Campus or the Fleischer Property. Horizontal mixed use could take place with some complementary office and retail, passive recreation/open space on Leichner Fields, and with single-family residential at the northern end of the Residential Property.

3.4 POTENTIAL ECONOMIC RETURNS

Number of Jobs

Estimating the quantity of jobs resulting from development is a function of building site coverage and number of workers per square foot of building area. Of the uses considered, office typically yields the highest levels of employment on a square foot or per acre basis—followed by flex, retail, industrial manufacturing, and then distribution. Job impacts for residential are typically limited to temporary benefits associated with home construction, together with any ongoing home occupation uses. There may be little to no direct job impact associated with recreation/open space use—except possibly as an outdoor event venue (as for weddings). Job potential with mixed use will depend on the proportion of the site developed for each of the uses separately, then added together.

Wage Rates

Typically, rates are relatively high for industrial and professional office uses and lower for retail uses. However, there is considerable wage rate variation within particular employment sectors, depending on the wage profile of each individual business. Manufacturing or distribution jobs may offer competitive wages.

Tax Revenues

Because of the combination of growing reliance on sales tax and the 1 percent property tax limitation, tax revenues per square foot of building in Washington tend to be highest for retail-related uses (except for grocery and pharmacy items, which are tax exempt). Construction activity also represents a strong source of sales tax generation, though of temporary duration when considered on a site-specific basis. Recreation and open space can be expected to generate minimal to no tax revenues, especially as the Leichner Fields site is expected to remain exempt from property taxes because of public ownership.

3.5 IMPLICATIONS FOR REDEVELOPMENT

Prospective market opportunities for reuse of the Planning Area are shaped by existing location, ownership, zoning, infrastructure, and environmental considerations. This initial review indicates the following:

- The Leichner Campus and Fleischer properties present the most viable opportunity for redevelopment, specifically industrial development.
- Industrial reuse could be complemented by some portion of the site being developed as flex, office, and/or limited ancillary retail space.
- While a manufacturing use is possible, this submarket appears to be particularly well suited for distribution uses because of its ready access to I-205 and I-5.
- Passive recreation/open space represents the best (and perhaps the only viable) economic reuse associated with the Leichner Fields.
- The Residential Property at the northern edge of the Planning Area is appropriately zoned and may be considered for residential use but with development likely tied to the extension of NE 99th Street.
- All site reuses are conditioned on both real and perceived environmental issues associated with landfill reclamation and monitoring being successfully addressed in perpetuity.

4.1 ACCESS & TRANSPORTATION

Transportation access and circulation to the site are generally considered favorable (see Figure 4), based on the following facts:

- The Planning Area is close to major transportation routes and anticipated public improvements.
- The area offers auto and truck traffic convenient access to the interstate freeway system. An interchange with the I-205 freeway is located less than 1 mile west of the intersection of the Padden Parkway with NE 94th Avenue.
- The existing NE 94th Avenue is a Clark County arterial generally considered adequate to accommodate existing residential use, as well as light industrial use.

The County currently has plans to implement the various transportation improvements, including:

- Widening of NE 94th Avenue to improve vehicle, bicycle, and pedestrian access to the site. Other, related, improvements include curbs and gutters, turn lanes, and a new 38-foot-wide driveway to the Leichner Campus. The project is currently in design, and construction is targeted to start in 2015.
- Extension of NE 99th Street through the northern portion of the site. NE 99th Street currently terminates at the north end of the site from the east. The road is designated as an urban minor arterial, requiring two lanes of traffic with a center turn lane and a bike lane. The roadway will be constructed to meet County standards at the time of development. Construction is scheduled for 2018-2020 in the County Transportation and Improvement Plan. However, there is currently limited funding committed to this project.

4.2 INFRASTRUCTURE

Potable Water

The City is the potable water purveyor for the area. Water infrastructure is available adjacent to the site in all directions, including a 12-inch-diameter main line in NE 94th Avenue to the west and smaller supply lines in the residential subdivisions to the north, east, and south of the project site (see Figure 5). A 6-inch-diameter lateral supplies two fire hydrants on the Waste Connections property. The project site lies within the City's Heights High pressure zone, which is generally well-served with regard to flow and pressure.

Power

Clark Public Utilities provides power service to the area. Overhead power is available adjacent to the site in all directions, including NE 94th Avenue to the west, NE 107th Avenue to the east, NE 86th Street to the south, and NE 99th Street to the northeast and northwest. High-voltage (115 kilovolt) overhead power lines cross the north end of the property, connecting NE 99th Street on the east and west sides. Medium-voltage overhead power lines (three-phase and one-phase) run along 94th Avenue NE and extend east into the interior of the site immediately to the north and south of the Waste Connections property.

Natural Gas

Northwest Natural Gas Co. provides natural gas service to the area. Natural gas infrastructure is available adjacent to the site in all directions. Waste Connections plans to convert their entire diesel-fueled vehicle fleet to run on compressed natural gas (CNG) by 2018. Waste Connections has installed a temporary CNG fueling station capable fueling up to 16 vehicles. Waste Connections plans to construct a permanent CNG fueling station on their site with the capacity to fuel up to 120 vehicles. The existing line in NE 94th Avenue likely is inadequate to supply such a fueling station. If so, upgrades to the local system would be required.

Sewer

Clark County Regional Wastewater District (CRWWD) is the sanitary sewer purveyor for the area. Sewer infrastructure is available adjacent to the site in all directions, including a main “trunk” line in NE 94th Avenue to the west and smaller conveyance lines in the residential subdivisions to the north, east, and south of the project site (see Figure 5). NE 94th Avenue has been identified by CRWWD as requiring upgrades to address forecasted demand growth in the area. Upgrades will bring an increased level of service to the project site and will benefit future development.

Communications

CenturyLink, Inc. provides Internet, cable, and telephone service to the area. Communications infrastructure is available to the site via underground cables in NE 94th Avenue.

4.3 STORMWATER DRAINAGE

Stormwater management will be a key design concern for new development in the Planning Area. Overall, there is a lack of cohesive stormwater infrastructure on or adjacent to the Planning Area. Without a wetland or water body in the immediate vicinity, or existing conveyance lines to such a discharge location, stormwater runoff will have to be managed on site. On-site infiltration of stormwater has the potential to impact the existing groundwater monitoring network. Restrictive covenants require approval from Ecology and Clark County Public Health (CCPH) to site and construct on-site stormwater facilities.

Considerations for stormwater planning include:

- Engineered stormwater controls are currently in place for the closed landfill under Leichner Fields. These were developed as part of the landfill's closure design to minimize stormwater infiltration into the site and leachate creation.
- The Fleischer Property and the Leichner Campus do not contain any engineered stormwater controls. Stormwater on these properties likely infiltrates into the ground on site or is conveyed to nearby ROWs via overland flow.
- All other stormwater infrastructure adjacent to the Planning Area in the County ROW consists of catch basins and drywells, which discharge stormwater directly into the ground. Future development plans to widen NE 94th Avenue include roadside stormwater facilities to treat and dispose of stormwater runoff from the ROW.
- The current County NPDES Permit and proposed County Stormwater Manual require the use of Low Impact Development to the extent "feasible" for any new development.

4.4 SOILS & TOPOGRAPHY

Soils

Soils in the Planning Area, excluding the closed landfill on the Leichner Fields Property, consist largely of gravelly loam with some silt loam. Gravelly loam generally has favorable infiltration characteristics, which may be conducive to the use of low-impact development stormwater facilities. Loams vary widely with regard to engineering properties, but generally loams function well as a subgrade material. Compaction capability and drainage can be assumed to be moderate.

Topography

With the exception of the closed landfill, the topography of the Planning Area is generally flat. However, there is some variability between properties:

- The closed landfill under Leichner Fields is built up at a 5 to 8 percent slope to one high point in the middle of the site and a second high point in the northwest corner of the site.
- The Fleischer Property generally slopes at 1 to 3 percent toward the southwest.
- The Leichner Campus is generally flat, approximately 20 feet lower than the adjacent closed landfill, and has an approximate 5:1 upward slope toward the northeast corner of the lot. The eastern portion of the site is sunken below relative grade due to historic excavation for landfill capping materials.
- The NE 99th Street ROW and Residential Property are generally flat, approximately 15 feet lower than the adjacent residential properties, and have an approximate upward 5:1 slope around the east, north, and west boundaries of the project site.

4.5 MONITORING COMPLIANCE

Compliance monitoring of groundwater, stormwater, and landfill gas (LFG) on the Leichner Fields property is currently implemented to fulfill the requirements of the 1996 Consent Decree and the landfill's post-closure requirements. The purpose of the compliance monitoring is to evaluate the effectiveness of the remedial actions specified in the Consent Decree regarding groundwater cleanup levels.

Groundwater Monitoring

The compliance groundwater monitoring well network consists of 20 monitoring wells. The wells are monitored annually or semiannually. The 1996 Consent Decree established site-specific compliance cleanup levels in groundwater for selected volatile organic compounds and inorganic leachate indicator parameters, using Ecology's Model Toxics Control Act Method B cleanup levels based on the highest beneficial use (drinking water) of the affected groundwater. The recent results of groundwater monitoring performed in 2013 indicated that groundwater quality is not being adversely impacted by the landfill. Results show that institutional controls implemented in the mid-1900s, including the landfill surface cap and stormwater control and collection, have been effective at mitigating leachate generation and improving groundwater quality.

Stormwater Monitoring

Stormwater monitoring consists of monthly visual inspections and collection of quarterly stormwater grab samples. The 2013 stormwater monitoring results indicated that stormwater quality benchmarks applicable to the site were not exceeded during any event.

Landfill Gas

The compliance LFG monitoring network consists of 50 LFG monitoring probes installed along the perimeter of the Leichner Fields property boundary to monitor subsurface LFG migration, and in areas within the property to more closely monitor the performance of the gas collection and control system (GCCS). Compliance LFG monitoring is performed quarterly. The recent results of the LFG monitoring performed in 2012 and 2013 indicate that methane concentrations were below the regulatory limit in probes located along the site property boundary (i.e., point of compliance), with only a couple minor exceptions. In all cases, monitoring of the probes indicated that methane concentrations had been effectively reduced to concentrations below the MFS compliance level within a range of one day to approximately one week.

4.6 LANDFILL GAS COLLECTION SYSTEM

The GCCS contains LFG that is generated within the landfill and prevents it from migrating into the atmosphere and surrounding native soils. The GCCS consists of:

- Fifty LFG migration probes (described in Section 4.5).

- One hundred and seven LFG extraction wells—The LFG extraction well system is divided into four areas of collection: southeast, southwest, northeast, and northwest. LFG is conveyed from the extraction wells to the south flare station through an aboveground PVC piping system.
- LFG condensate collection system—Condensate sumps are located at all the low points along the header piping, or approximately every 400 feet. The condensate is periodically removed from the storage tank for regulated, off-site disposal.
- LFG flare station—The south flare station is located at the southern end of the former landfill and contains the mechanical and electrical equipment required to actively withdraw LFG and dispose of it in an environmentally acceptable manner.

4.7 FINAL COVER SYSTEM

The landfill cover system prevents or minimizes infiltration of precipitation and surface water runoff into the landfill, as well as leachate generation. The former refuse area (approximately 65 acres) was closed in three stages, and landfill cover systems were installed from 1989 to 1992. All three phases of landfill cover systems were constructed to meet the applicable requirements specified in the MFS, WAC 173-304. The final covers consist of a multilayered composite system covering the entire 65 acres of refuse placed in the landfill. The final covers consist of (from bottom to top) general earthfill, select earthfill, a flexible membrane liner, a drainage layer, a geotextile liner, vegetative soil, topsoil, and native grasses. A detailed description of the components and design of the landfill cover system is provided in Appendix C.

5.1 COMPREHENSIVE PLAN DESIGNATION

Portions of the Master Plan area, including the Leichner Fields, Campus and Fleischer properties are designated Industrial in the County's 20-Year Comprehensive Growth Management Plan. The Industrial designation is implemented by the Light Industrial (IL), Business Park (BP), and Industrial Railroad (IR) zones. According to the Comprehensive Plan, these base zones are intended to provide employment opportunities, such as compatible office and attractive non-polluting industries. Areas designated Industrial also provide for more intensive job related land uses that pay family wages, such as professional offices, research and technology related industries.

- **Light Industrial (IL)** is intended to provide for light manufacturing, warehousing, transportation and other land intensive uses. Services and uses which support industrial uses are allowed in these areas but limited in size and location to serve workers within the industrial area.
- **Business Park (BP)** provides for uses permitted in the business park and is intended to provide for campus like development with higher job densities and family wage jobs than in traditional industrial areas. The BP zone is generally more restrictive than the IL zone in terms of allowed uses, with an emphasis on more office-oriented uses. This zone might provide some assurance to neighboring property owners that a less disruptive operator is less likely to locate on the property.
- **The Industrial Railroad (IR)** base zone provides land uses that require and take advantage of rail access. This designation is not appropriate for the master plan area.

5.2 ZONING

Approximately 124.6 acres of the planning area, including the Leichner Fields , Campus and Fleischer properties, are currently zoned Light Industrial (IL). An approximately 8-acre area zoned Single Family Residential (R1-7.5) is located north of the closed landfill (see Figure 6). The following table identifies the existing zoning and acreage by tax lot number.

Table 2. Zoning for Planning Area

Tax Lot	Acreage / Zoning
Leichner Fields	
199858	33.66 (IL)
199843	25.56 (IL)
199869	9.92 (IL)
Leichner Campus	
199845	2.12 (IL)
199863	7.42 (IL)
105740	25.49 (IL)
Fleischer Property	
199851	5 (IL)
199861	0.99 (IL)
199854	3.45 (IL)
Future NE 99th Street ROW	
199856	11.03 (IL)
Residential Property	
199866	R1-7.5
199865	R-1.7.5
Total Acreage	132.6

Of the approximately 19 acres north of the former landfill, approximately 11 acres are zoned IL and approximately 8 acres are zoned R1-7.5. It is anticipated that much of the 11-acre IL property will continue to be used for stormwater management and will be the site of the future NE 99th Street connection.

5.3 SITE DESIGN STANDARDS

The design of future uses on the property must consider and adhere to the development standards that apply to the base zones of the site. The following table lists the development requirements for those portions of the site (zoned IL) anticipated for redevelopment in the near term (see Appendix D).

Table 3. Development Requirements

Standards	IL
Setbacks:	
Front	20 ft
Side (street/interior)	0 ft
Rear	0
Screening:	
From R1-7.5	10 ft
From IL (separated by street/not separated by street)	10 ft/ None
Max Building Height	100 ft
Perimeter parcels or adjacent to R1-7.5 zone	60 ft
Max Lot Coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.385), and all other applicable standards.
Min Landscaped Area	10%
Min Lot Area	N/A
Max Average Lot Area	None
Average Min Lot Width for Each Lot	None
Average Min Lot Depth for Each Lot	N/A
Parking & Loading	
Loading Berths	0-2, depending on square footage and use
Parking	1 space/500 sq ft (laboratories, research facilities, warehouses, and similar uses may require fewer)

5.4 CRITICAL AREAS AND ENVIRONMENTAL ANALYSIS

The County code regulates development impacts to environmentally sensitive “critical areas,” which include flood hazard areas, wetlands, habitat conservation areas, critical aquifer recharge areas, and geologic hazard areas (Subtitle 40.4).

Wetlands

Clark County Geographic Information Systems data indicate the presence of a water feature mapped as a riparian habitat conservation area in the western section of the closed landfill (tax lot 199843) (see Attachment D) The water feature is one of three stormwater ponds constructed to collect and convey runoff from the surface of the landfill, and would not qualify as a riparian habitat conservation area. No U.S. Fish and Wildlife Service National Wetland Inventory wetlands are mapped on the site, and information provided by the Washington State Department of Fish and Wildlife does not indicate the presence of sensitive or regulated natural resources on any of the subject parcels.

Habitat Conservation Areas

Most of the vegetation on the site consists of perennial and annual grasses. As part of its routine maintenance of the site, the County removes any weeds, invasive vegetation, and volunteer trees and shrubs that could threaten the integrity of the landfill cap, which is generally 3 feet below the surface.

The site does not provide critical habitat protected under the Endangered Species Act, and no endangered or threatened species use the site. Vegetative conditions on site are not suitable for listed species habitat. In 2012, county staff identified coyotes, mice, voles, rabbits, hawks, owls, and songbirds—all species habituated to human presence—as species that use the subject parcels. The stormwater ponds support waterfowl use.

Aquifer Recharge Areas

A shallow aquifer and the deeper Troutdale aquifer underlie the closed landfill parcels. The integrity of the landfill cap must be maintained to prevent the infiltration of precipitation through the landfill material and the consequent pollution of the groundwater and/or aquifers.

5.5 CONSENT DECREE

In order to address known groundwater contamination, remedial investigation (RI) of the planning area began in 1987 pursuant to a Consent Order imposed by Ecology (No. DE 86-S131). The RI results were summarized in a 1988 Remedial Investigation Report and Feasibility Study Report (FS). In July 1996, Ecology and the LBLRC entered into Consent Decree No. 92-2-03081-7 (Decree). This was the final Decree for the Site, which implemented the final remedial actions described in a Cleanup Action Plan (CAP) associated with the Decree.

The RI and FS identified leachate from the closed landfill as the source of groundwater contamination. The CAP proposed a preferred remedial action to address the production and migration of leachate from the site. The Decree established requirements for: reporting to Ecology, a period review process, protection and performance monitoring, and the placement of a restrictive covenant on future use and development on the properties. The terms of the covenant are described below.

The consent decree has been amended twice: in 2002 to allow for the removal of approximately 7 acres of residentially zoned property for the development of the Neston Square subdivision; and in 2013 to recognize the sale of the now County-owned properties. The terms of the consent decree and restrictive covenant transfer with the property title.

5.6 RESTRICTIVE COVENANT

The Decree required that an environmental Restrictive Covenant (RC) be in place for the entire landfill site including the Leichner Campus. It was determined that contamination at the Site posed a limited threat to human health and the environment that could be mitigated, in part, by the use of institutional controls in the form of a RC. The RC encompasses both surface and subsurface components of the property. The RC was recorded for the Leichner Landfill property in April 1998. The RC includes the following restrictions:

Memorandum Tracking Sheet		
Date	Initials	Action
3/5-3/7/2014	MBR	Prepare outline and begin compiling content
3/14/14	MBR	“Finalize” for internal review
3/14/14	SJF	Senior review
3/14/14	MBR	Address redlines, edit as necessary, delete addressed comments
3/17/14	MBR	Update sewer info based on CRWWD email exchange
5/22/14	AMF	Conduct redline review.
5.22.14	SSO	Accept redlines
6/2/14	MBR	Incorporate county redlines and address comments
7/2/14	SSO	Review and final

- **Section 1.** No groundwater may be taken for domestic purposes from any well on the property.
- **Section 2.** Any activity on the property that may interfere with the cleanup action is prohibited. Any activity on the property that may result in the release of a hazardous substance that was contained as a part of the cleanup action is prohibited, unless allowed under the terms of a National Pollutant Discharge Elimination System or a state waste discharge permit.

- **Section 3.** The owner of the property must give written notice to Ecology of the owner's intent to convey any interest in the property. No conveyance of title, easement, lease, or other interest in the property may be consummated by the owner without adequate and complete provision for the continued operation, maintenance, and monitoring of the cleanup action.
- **Section 4.** The owner of the property must notify and obtain approval from Ecology prior to any use of the property that is inconsistent with the terms of the RC. Ecology may approve such a use only after public notice and opportunity for comment, and only if the proposed use will not threaten human health or the environment.
- **Section 5.** The owner of the property shall allow authorized representatives of Ecology the right to enter the property for the purposes of evaluating compliance with the terms of the Consent Decree and associated Cleanup Action Plan, to take samples, to inspect cleanup action taken at the property, and to inspect records that are related to the cleanup action.
- **Section 6.** The owner of the property reserves the right to record an instrument providing that the RC shall no longer limit use of the property. However, such an instrument may be recorded only with the consent of Ecology. Ecology or a successor agency may consent to the recording of such an instrument only after public notice and only if all obligations under the Decree have been satisfactorily completed.

6 SUMMARY OF REAL ESTATE PANEL

On April 8, 2014, the project team hosted a Real Estate Expert’s Panel at the Waste Connections facility adjacent to the Leichner Campus. The nine-member panel was composed of local and regional experts in the fields of real estate development, commercial brokerage, appraisal, marketing, and land use law. The participating experts toured the full site, discussed the preliminary market findings, and offered insights about challenges and opportunities for adding value and redeveloping the site. A summary of their insights is provided below (notes are included as Appendix E).

Barriers to redevelopment:

Many factors combine to reduce the campus site’s market value and create uncertainty about its redevelopment potential and entitlement timeline:

- Residential uses surrounding the site and likelihood of opposition, particularly at the southern end.
- Lack of certainty or identified end-user for the area’s future.
- Adjacent landfill.
- Existing business (Waste Connection) and externalities associated with it.
- Limited number of larger-scale industrial users nearby makes the site riskier and development more difficult to finance.
- Uncertain utility capacity.
- Uncertainties around environmental issues, specifically potential wetlands.
- Transportation access needs.

Real Estate Panel

Todd Shaeffer, Specht Development
Monte Haynes, Kidder Mathews
Kirk Olsen, Trammell Crow
Jo Ellen Jarvis, Jarvis Appraisal
Jamie Howsley, Jordan Ramis
Eric Fuller, Eric Fuller & Associates
Scott Fraser, Kidder Mathews
Phillip Hanshew, Colliers
Mike Bomar, CREDC

Collectively, these barriers mean that the carrying costs while moving toward entitlements could be great, increasing the risk of the deal for any potential developer. A “do nothing to address barriers” strategy likely would result in any buyer requesting a lengthy contingency period to complete due diligence, and would ultimately result in a lower sale price for the County. The recommendation of the panel was to address and mitigate as many of these issues as possible.

Suggested strategy to mitigate barriers from workshop participants:

- (1) Remove as many barriers and as much uncertainty as possible to improve opportunities for disposition:
 - a. Prepare preliminary site plans, including design and engineering for site access. Consider designing access for a public road on-site.
 - b. Complete improvements to NE 94th Street.
 - c. Prepare studies that characterize and address environmental and wetland issues.
 - d. Zoning should be as flexible as possible (look into Hillsboro, OR industrial model).
 - e. Plat and subdivide now, to reduce time and cost if multiple users are involved.
 - f. Prepare a framework for a development agreement spelling out the terms of a public-private partnership.
 - g. Distill all information into a usable and concise summary for potential developers.
- (2) Consider using a Planned Action approach that provides more certainty for developers and neighbors.
- (3) Preserve the option of attracting a large industrial user as long as possible, but recognize that a longer-play, parcel-by-parcel disposition approach may be necessary. Buildings of about 20,000 square feet seem to be the sweet spot for speculative development flex space.
- (4) A decision is needed regarding whether the County should get together all the studies and reports described in (1) above and then sell the property, or (2) whether the County should put out an RFQ/RFP and have the selected developer fund the studies together with the County.
- (5) The panel agreed that a ground lease was probably not appropriate for this particular site.
- (6) Regarding engagement with the neighbors: the panel suggested entering conversations carefully, being forthright about the likely industrial future use, and putting in place restrictions regarding hours of operation for all new development.

Likely target market:

- Most likely a regional or local user with some entrepreneurial and risk-taking attitude.
- A single larger user may express interest in the site, or it may be a series of smaller-scale users interested in portions of the site. The County should be prepared to go in either direction.

7 CONCLUSIONS AND RECOMMENDATIONS

7.1 CONCLUSIONS

Based on the information generated through the reuse analysis research, the following conclusions are presented in a format outlining the relative strengths, weaknesses, opportunities, and threats associated with redevelopment of the Planning Area.

Strengths

- Adequacy of general utilities—power, communications, water, sewer for most uses, natural gas for most uses
- Adjacency to freeway system and transportation access
- Planned transportation improvements on NE 94th and NE 99th
- County ownership, which allows for longer-term land holding

Weaknesses

- Sewer capacity for high-intensity industrial uses that require large in/out flows of processing water.
- Natural gas for high-intensity and trucking-fleet-dependent uses.
- Lack of cohesive stormwater infrastructure adjacent to the project site. Stormwater runoff will have to be managed on site. Restrictive covenants require approval from Ecology and Clark County Public Health to site and construct on-site stormwater facilities.

Opportunities

- Property is zoned for light industrial use.
- IL zone allows for potential supplementary commercial, office, and mixed uses.
- Zone change to BP would expand office uses available to redevelopment, and would restrict some potential nuisance industrial uses in order to address neighborhood concerns.
- Industrial Comprehensive Plan designation is implemented with Light Industrial, Business Park and Railroad Industrial zones that offer flexibility in changing zoning to meet users' needs.
- Open space on former landfill.
- Parking on former landfill.

Threats

- Negative perception of landfill for prospective tenants.
- Environmental covenant and landfill conditions.
- Proximity of residential neighborhoods.
- Entire site is subject to the terms and conditions of Consent Decree and restrictive covenants.

7.2 RECOMMENDATIONS

Short Term

- Complete master planning program for the Leichner Campus and Fleisher properties. Identify conceptual redevelopment scenarios and prepare property disposition strategies for the most preferred options.
- Evaluate opportunities to relocate county services to the Leichner Campus property from other potentially more valuable industrial-zoned properties.
- Evaluate feasibility of removing Leichner Campus from Consent Decree.
- Address the issues that generate uncertainty for the property and get it as close to shovel ready as possible, including:
 - Identifying the presence (real or perceived) of wetlands,
 - Subdividing the Leichner Campus to allow for potential phased development
 - Complete a Planned Action SEPA to address any potential environmental or cultural resource questions ahead of development

Mid Term

- Plan for and prioritize increased utility and infrastructure capacity. Specifically completing the 99th Street connection and expanding sewer and natural gas capacity.