

Notice of Appeal and Public Hearing

The Department of Community Development has received an Appeal of a Land Use Decision, as described below. This appeal is subject to public notice and public hearing pursuant to Clark County Code (CCC) Chapter 40.510.030(H)

Public Hearing date and time: **January 23, 2019 at 6:00 p.m.**

Location: **Public Service Center**
1300 Franklin St., sixth floor
Vancouver, WA 98660

The doors to the Public Service Center will open between 5:45 p.m. and 7 p.m. for those attending the hearing on this matter. Parking is available in the parking garage on the north side of the Public Service Center, access off Franklin St.

At the hearing, the examiner will consider the following:

Project Name: **Acero Padden Apartments**

Case Numbers: OLR-2019-00145 - Appeal of PSR-2019-00013

Location: 3507, 6311, 3701 & 3813 NE 78TH St, Vancouver, WA 98686;
 Parcels 144516000, 144514000, 144492000 & 144534000

Request: Site Plan Review approval for the construction of a 288 unit apartment complex, including accessory parking and open space areas, a property management and fitness center building, a pool, and a maintenance building. The site is located on approximately 13.78 acres in the office residential (OR-22) zoning district.

Appeal Issues: Appeal of Transportation Concurrency Condition A-8.a in the Type II Site Plan Review Staff Report & Decision (PSR-2019-00013) [see appeal letter - Exhibit 34]

Appellant: Miller Nash Graham & Dunn LLP
 Attn: LeAnne Bremer
 500 Broadway, Suite 400
 Vancouver, WA 98660
Phone - 360.619.7002
Email - leanne.bremer@millernash.com

Revised 5/8/13



Community Development
 1300 Franklin Street, Vancouver, Washington
 Phone: 564.397.2375 Fax: 564.397.2011
www.clark.wa.gov/development



For an alternate format,
 contact the Clark County
 ADA Compliance Office.
 Phone: 564.397.2322
 Relay: 711 or 800.833.6384
 E-mail: ADA@clark.wa.gov

Applicant: Ott Gaither
 1101 SE Tech Center Drive, #160
 Vancouver, WA 98683
 (360) 798-2282
 ott@gaitherconstruction.com

Date of Notice: November 21, 2019

Neighborhood Contact: NE Hazel Dell Neighborhood Association
 Doug Ballou, President
 360-573-3314
 dougballou@comcast.net

Staff Contact: Scott Wiedemer
 564.397.5273
Email - scott.wiedemer@clark.wa.gov

Applicable Laws

Clark County Code Sections: 40.200 (General Provisions); 40.220.020 (Residential and Office Residential Districts); 40.350.020 (Transportation Concurrency); 40.260.150 (Multi-family Residential Outdoor Recreation Area Standards); 40.310 (Signs); 40.320 (Landscaping and Screening); 40.340 (Parking and Loading); 40.350 (Transportation and Circulation); 40.360 (Solid Waste and Recycling); 40.370 (Sewer and Water); 40.386 (Stormwater and Erosion Control); 40.410 (Critical Aquifer Recharge Area); 40.430 (Geologic Hazard Areas); 40.500.010 (Procedures); 40.510.020 (Type II Process); 40.520.040 (Site Plan Review); Chapter 40.570 (SEPA); Section 40.570.080 (SEPA Archaeological); 40.610 & 40.620 (Impact Fees); 40.630.070 (Appeals); Title 14 (Building and Structures); Title 15 (Fire Code); and Title 24 (Public Health)

Public information available

The appeal document, case file, staff report, and decision under appeal, and the Clark County Code are available for review by the public during office hours at the Department of Community Development. A Staff Report and Recommendation to the Hearing Examiner will be prepared by staff and available to the public two weeks prior to the public hearing.

Public testimony process

Any person wishing to present testimony should arrive by 6:00 p.m. at the Public Service Center, 1300 Franklin Street, Vancouver, Washington.

Refer to *The land use hearing process and how to provide effective testimony* handout for more information.

Submitting written testimony

Faxed, mailed or delivered testimony must be received at the Permit Services Center by 12:00 noon on the day of the hearing. Other written or verbal testimony may be presented and considered at the public hearing.

By fax: 564.397.4895, Attn: Scott Wiedemer

By mail: Community Development
P.O. Box 9810
Vancouver, WA 98666-9810

In person: Public Service Center
Permit Center, first floor
1300 Franklin Street, Vancouver WA 98660
Hours: Monday, Wednesday, and Friday - 8 a.m. to 3 p.m.
Tuesday, Thursday - 8 a.m. to noon

Appeal Process

The Hearing Examiner normally issues a decision within two weeks from the close of the public hearing. The Hearing Examiner's decision may be appealed only if, within twenty-one (21) calendar days after written notice of the decision is mailed, a written appeal is filed in the superior court of Clark County, pursuant to Chapter 36.70B RCW or applicable state law.

Refer to our *Appeals* handout for more information and fees.

Accommodation of Physical Impairments

The Public Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact Community Development as far in advance of the hearing date as possible.