

Type II Staff Report and Decision Notice to Parties of Record

Project Name: Acero Padden Apartments

Case Number: PSR-2019-00013

The attached decision is final unless an appeal is filed with the Department of Community Development.

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a "party of record," prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the county;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee.

See the *Appeals* handout for more information and fees.

Mailed on: October 9, 2019

DS1334

Revised 7/15/13



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

Type II Site Plan and Environmental Review Staff Report and Decision

Project Name: ACERO PADDED APARTMENTS

Case Number: PSR-2019-00013

Request: The applicant is requesting 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.

Location: 3507, 6311, 3701 & 3813 NE 78TH St, Vancouver, WA 98686

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

Contact Person: SGA Engineering, PLLC
Samuel Moss
2005 Broadway St
Vancouver, WA 98663
(360)993-0911
smoss@sgaengineering.com

Property Owners: Gaither Family LLC
17308 NE 65th Ave
Vancouver, WA 98686

Decision

Approved subject to Conditions

Land Use Review manager's initials: SGE Date issued: October 9, 2019

Revised 10/8/2019



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County Review Staff

Department/Program	Name	Ext.	Email Address
Community Development			
Land Use Review Manager	Susan Ellinger	5122	susan.ellinger@clark.wa.gov
Land Use Review Planner	Scott Wiedemer	5273	scott.wiedemer@clark.wa.gov
Fire Marshal's Office	Donna Goddard	3323	donna.eavenson@clark.wa.gov
Public Works			
Transportation and Stormwater Eng Supervisor	Greg Shafer	4064	greg.shafer@clark.wa.gov
Engineering Team Leader	Ali Safayi P.E.	4102	ali.safayi@clark.wa.gov
Engineer	Jennifer Reynolds	4630	jennifer.reynolds@clark.wa.gov
Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: Urban Medium Density Residential (UM)
Zoning District: Office Residential-22 (OR-22)
Parcel Number(s): 144516000, 144514000, 144492000 & 144534000

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); Title 14 (Building and Structures); Title 15 (Fire Code); and Title 24 (Public Health)

Neighborhood Association and Contact

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

Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted.

A pre-application conference on this matter was held on January 3, 2019. The pre-application was determined **not** contingently vested.

The fully complete application was submitted on April 8, 2019, and determined to be fully complete on April 29, 2019. Given these facts, the application is vested on April 8, 2019.

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on April 29, 2019. The applicant was asked to submit additional information which extended the deadline by 85 days. Therefore, the code requirement for issuing a decision within 78 days lapses on October 8, 2019. The state requirement for issuing a decision within 120 calendar days lapses on November 20, 2019.

Public Notice

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, the NE Hazel Dell Neighborhood Association and property owners within 300 feet of the site on May 21, 2019.

Public Comments

No public comments were submitted in response to SEPA notification.

Agency Comments

1) SEPA Comment Submitted by
State of Washington Department of Ecology
PO Box 47775
Olympia, WA 98504

Date Received
June 5, 2019

The Department of Ecology identified that known contaminated sites exist within a half mile of the project. Only clean fill material can be used during project activities, and Ecology's Southwest Regional Office must be notified if any environmental contamination is discovered on the subject parcels. The comments also identify erosion and sediment control requirements, and list construction activities that require coverage under the Department of Ecology Construction Stormwater General Permit. [See Exhibit 7]

Staff Response:

Ecology's comments are addressed by the conditions of approval. (See Conditions A-4, A-13.b, B-2, B-3 & G-2)

2) SEPA Comment Submitted by
Southwest Clean Air Agency (SWCAA)
11815 NE 99th St, Suite 1294
Vancouver, WA 98682

Date Received
June 5, 2019

SWCAA identified that prior to demolition or renovation of any structures, an asbestos inspection must be conducted by an AHERA-certified inspector in order to determine the presence of asbestos containing material (ACM) in the structure and vicinity, and the AHERA asbestos inspection report must be posted for viewing at the project site. Additionally, construction dust is an air pollutant, and therefore, dust control is required for this project. [See Exhibit 8]

Staff Response:

Implementation of erosion and sediment control BMPs is required for this project, including dust control. A condition has been included that specifies that prior to demolition the applicant must obtain a demolition permit from the County, and also comply with Southwest Clean Air Agency requirements that an asbestos inspection must be conducted, and that the AHERA asbestos inspection report must be posted for viewing at the project site (*See Conditions A-4, B-2 & B-5*)

Project Overview

The applicant proposes to build 24 apartment buildings, with a total of 288 apartment units (12 apartments per building), with an associated property management and fitness center building, a pool, maintenance building, and associated parking. The project is located on a 13.78 acre site (currently consisting of 4 tax lots, developed with 2 single-family homes), and located within the office residential OR-22 zoning district.

The project is located on the south side of NE 78th Street, a block west of Saint Johns Road, in Vancouver. Construction of NE 39th Ave, along the east property boundary is proposed in conjunction with the project.

The project site generally slopes toward the southeast. Slopes are gentle to moderate, with maximum slopes identified at 15% - 25%. Site grading will be required for infrastructure development and construction, with up to 80,000 cubic yards of grading anticipated. Existing trees and vegetation on the west side of the project site will be cleared for development.

The site is located in the following districts:

- Vancouver School District
- Parks District #8
- Fire District #5
- Clark Regional Wastewater District
- Clark Public Utilities for water

The application consists of a Type II Site Plan Review and SEPA review. Additionally, a Geologic Hazard review for steep slopes on site, and two technical road modification requests (permit EVR-2019-00014) regarding circulation requirements and frontage improvements, have been included in the project evaluation. Additionally, a Class 1 Non-Exempt Forest Practices Permit has been issued for site clearing activities (FPA-2019-00050).

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UM	OR-22	Six single family residential lots
North	C/PF	CC/PF	Undeveloped/Public Park
East	I	BP	Business Park (proposed, under construction)
South	I	IL	Light Industrial, with several existing single family residences
West	C	CC	Existing residential lots

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

LAND USE

Finding 1 - Uses

Multifamily dwellings are an allowed use in the OR-22 zoning district.

Finding 2 - Density and site area

Per Table 40.220.020-2, between 15 and 22 units per acre must be provided. 288 units are proposed on 13.12 gross acres (excluding the public right-of-ways from NE 78th Street and NE 39th Ave), which equals a density of 21.95 units per acre, and thus meets the density criteria for the site.

Finding 3 - Height

Height is limited to 50 feet. The proposed buildings will be approximately 40 feet tall.

Finding 4 - Setbacks

Per Table 40.220.020-3, setbacks are as follows:

Front:	10 feet (or 18 feet to a garage front)
Side and street side:	10 feet
Rear:	15 feet

The minimum distance between buildings on site is 8 feet. Maximum lot coverage is fifty percent (50%).

The front lot line is to the east along NE 39th Avenue (a road that will be built with this development). The north and south property lines are considered street side, and side property lines respectively, and the west property line is the rear. According to the preliminary site plan, all setbacks, building spacing, and lot coverage requirements are met.

Finding 5 - Landscaping

In accordance with Table 40.320.010-1, the following perimeter landscaping scheme is required for the development as proposed:

North along NE 78 th Street:	5-foot L2 buffer
South:	5-foot L2 buffer
East along NE 39 th Ave:	10-foot L2 buffer
West:	10-foot L3 buffer

The L2 standard requires enough low shrubs to form a continuous screen three (3) feet high and ninety-five percent (95%) opaque year-round. In addition, one (1) tree is required per thirty (30) lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area with the exception of energy dissipation points at the locations of stormwater inlets.

The L3 standard requires enough high shrubs to form a screen six (6) feet high and ninety-five percent (95%) opaque year-round. In addition, one (1) tree is required per thirty (30) lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area with the exception of energy dissipation points at the locations of stormwater inlets.

One landscape island with a tree for each 7 spaces must be provided per Section 40.320.010.E. The preliminary site plan shows islands meeting this requirement.

All landscape buffers indicated on the preliminary landscape plan conform to the above requirements. A final landscape plan will be required with the final site plan. (*See Conditions A-14 and F-1*)

Finding 6 - Open Space for Multi-family Uses

Section 40.260.150(B)(1) requires at least 48 square feet of outdoor private area (patio, terrace, yard) per ground level unit. To meet this requirement, 56 square foot patios will be provided for each first-floor unit. The patios will be screened using landscaping plantings to clearly define the boundary between public and private space; satisfying the requirements of 40.260.150(B)(2) and 40.260.150(C)(3). Landscape screening must be clearly identified on the final site plan and landscaping plans. (*See Conditions A-12.f & A-14*)

Per 40.260.150(C)(1), shared outdoor recreation space is required at the rate of 200 square feet for each two or fewer bedroom units, and 300 square feet for 3 bedroom units, for a total of 58,800 square feet. Per the updated preliminary landscape plan [Exhibit 10.5], 94,165 square feet of open space is proposed, exceeding the minimum requirement. This shared common open space must be identified on the final site plan, not including the acreage of perimeter landscaping buffers (*See Condition A-12.g*)

Finding 7 - Parking Standards

Per Table 40.340.010-4, 1.5 parking spaces are needed for each unit, for a total of 432 spaces;

The site plan shows 590 parking spaces, (including 471 regular, 66 compact, 36 garage, and 18 ADA spaces).

Proposed compact parking complies with the 30% maximum number of compact spaces allowed under Section 40.340.010.B.5.

The vast majority of parking spaces abut sidewalks. Curb stops shall be required for all such spaces, or the sidewalks widened by an additional 3 feet in addition to the required minimum width for ADA access. *(See Condition A-12.e)*

Finding 8 - Solid Waste Storage

Storage areas for solid waste and recyclables are required in accordance with CCC 40.360.

Per Section 40.360.020(C)(1), multi-unit buildings containing more than ten (10) residential units shall provide fifty (50) square feet, and an additional five (5) square feet per unit for each unit above ten (10).

Additionally, per Section 40.360.020(C)(2), nonresidential buildings on site require 10 square feet, plus (4) square feet per 1,000 square feet of gross floor area.

Therefore, based on the number of residential buildings and apartments proposed, and based upon the square footage of nonresidential buildings on site, a total of 1,467 square feet of solid waste storage is needed for the project. The site plan shows that a 1,600 square foot covered main facility has been proposed near the southwest corner of the site, meeting the cumulative solid waste storage area requirement. Building permits will be required for this structure. *(See Conditions A-12.a, & E-3)*

Finding 9 - Pedestrian Access

Pedestrian access to the site is proposed from the east, along NE 39th Avenue. *(See Condition A-12.d)*

Finding 10 - Signage Standards

No proposed signs were provided with the application. Sign permits will require separate land use sign permit applications and building permits. *(See Condition E-4)*

Finding 11 - Property lines

The site currently consists of 4 separate tax lots with property lines that will pass through buildings unless they are removed. The lots shall be merged into one site, or otherwise adjusted to address this issue, prior to building permit issuance. *(See Condition E-5)*

Conclusion Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets land use requirements of the Clark County Code.

ARCHAEOLOGY**Finding 12 - Archaeological Predetermination**

The entire site is located within moderate and moderate-high probability areas for discovery of archaeological resources, as designated on the Archaeological Predictive Model Map of Clark County. The applicant has submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

DAHP staff reviewed the archaeological predetermination without comment, and provided no SEPA comment. Therefore, no additional studies are necessary. However, a note on the final construction plans and final site plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted immediately. (See Conditions A-13.a)

Conclusion

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets archaeology requirements of the Clark County Code.

WETLAND & HABITAT REVIEW**Finding 13 - Wetland/Habitat**

There are no habitat indicators mapped on the subject parcels (144516000, 144514000, 144492000, and 144534000), however review of historic aerial imagery suggested potential Oregon white oak signatures present. The applicant has provided an oak determination letter prepared by Ecological Land Services dated March 25, 2019 which concluded that no oaks existed onsite. Staff visited the site on May 3, 2019 as part of wetland/habitat review case WHR-2019-00038 and concur that there were no Oregon white oak woodlands present. No further wetland/habitat review is required.

Conclusion (Wetland & Habitat Review)

Staff concludes that the proposed preliminary plan, subject to conditions contained herein, meets the wetland requirements of Clark County Code.

FORESTRY REVIEW**Finding 14 - Forestry**

A Class 1 Non-Exempt Forest Practice Permit (FPA-2019-00050) was issued for this project on May 29, 2019 [Exhibit 19].

Conclusion (Forestry)

Staff concludes that no further forestry review is required, and the project meets the requirements of Clark County Code.

TRANSPORTATION CONCURRENCY**Finding 15 - Trip Generation**

County concurrency staff has reviewed the proposed Acero Padden Apartments development. The traffic study submitted indicates that the proposed development will construct a new 288 unit apartment complex on four parcels, 144516-000, 144514-000, 144492-000 and 144534-

000, totaling 13.78 acres. The applicant's traffic study has estimated the a.m. peak hour trip generation at 103, the p.m. peak-hour trip generation at 125 trips and an average daily trip generation (ADT) of 1,548 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Tenth Edition*. The proposed development site is located at 3611, 3701, and 3813 NE 78th Street in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 16 - Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The traffic study indicates that the proposed development will construct the southern leg of the intersection of NE 39th Avenue/NE 78th Street. The applicant's plan shows that NE 39th Avenue will be extended south, from NE 78th Street, along the subject property frontage. NE 39th Avenue will terminate in a temporary cul-de-sac.

The applicant's plan and narrative indicates that all access from the proposed development will come from NE 39th Avenue, a local commercial/industrial road, along the eastern property line. The applicant did not propose any access to NE 78th Street, a principle arterial (Pr-4cb), on the north side of the development.

The applicant has proposed the construction of raised channelized intersection at the NE 39th Avenue/NE 78th Street. This raised channelized intersection would include an eastbound to southbound right-in/northbound to eastbound right-out/westbound to southbound left-in.

The County Engineer is responsible for decisions regarding the placement of raised medians on county roads.

"In order to preserve capacity and promote safety, urban arterials shall generally include raised medians to restrict cross traffic movements." This is applied as... raised medians shall be installed to restrict cross traffic movements unless full-access intersections, signalized and nonsignalized, on arterials only with other county, state and city roads as are designated on the Arterial Atlas, as amended.

As proposed, the raised channelization proposed in this intersection will restrict access to properties/developments north of NE 78th Street that were not party to the development application, they are not contributing to trips associated with the proposed development, and did not trigger the need for mitigation at the intersection of NE 78th Street/NE 39th Avenue.

Because of this, and in an effort to comply with county code restricting cross traffic movements, the applicant will need to construct traffic control at the intersection of NE 78th Street/NE 39th Avenue. The proposed traffic control will need to be acceptable to the county and will need to be constructed to restrict the proposed south leg of NE 78th Street/NE 39th Avenue. The applicant will need to submit construction drawings that show the traffic control will allow full turning movements for properties/developments north of the proposed development and restrict the south leg to right-in/right-out. The applicant may also choose to construct a signalized intersection at NE 78th Street/NE 39th Avenue. A signalized intersection would help facilitate a controlled full access intersection for all approaches. (See Condition A-8.a)

It should be noted that the applicant's development team has proposed a Development Agreement (DA) that proposes to partner with the neighboring property to the east, Padden Business Park, and Luke Jensen Park, a county owned facility. This proposed DA suggests this partnership for the design and construction of a signalized intersection at NE 39th Avenue/NE 78th Street. This proposed DA is currently under preliminary consideration and has not been scheduled for presentation at the time of this staff report.

The applicant's plan also shows that a dedicated eastbound right turn lane is proposed at the intersection of NE 39th Avenue/NE 78th Street.

The applicant's study evaluated the level of service and found that the intersections that provide primary ingress and egress to the subject site will have an estimated LOS C or better, in the 2022 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 17 - Clark County Concurrency

The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development.

Signalized Intersections

The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

County Staff has evaluated the operating levels and standard delays represented in the County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections under county jurisdiction in the 2022 buildout horizon.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for unsignalized intersections.

Concurrency Corridors

Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels.

Summary

The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that “nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

Finding 18 - Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant’s plan shows the construction of a 350-foot long right turn lane at the proposed intersection of NE 78th Street/NE 39th Avenue. The applicant has submitted a narrative that indicates that the right turn lane is being provided to remove the right turning vehicles from the eastbound mainline traffic.

The applicant will need to submit construction drawings that show the construction of a dedicated eastbound right turn lane that complies with the county standard details. (*See Condition A-8.b*)

Finding 19 - Historical Accident Situation

The applicant’s traffic study analyzed the crash history for the period January 2014 through March 2019.

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. Staff concurs with the applicant’s finding.

Finding 20 - Roadside Safety (Clear Zone) Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that “The *clear roadside concept*...is applied to improve safety by providing an unencumbered roadside recovery area that is as wide as practical...”. Further, this concept “allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures.”

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that “A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle.”

“For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside.”

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Condition A-9)

Finding 21 - Vehicle Turning Movements

The applicant’s narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, “The responsible official may require higher standards for unusual site conditions.”

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking areas near public road intersections and the driveway intersections with NE 39th Avenue. (See Condition A-10)

Finding 22 - Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

Transportation Concurrency staff concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets transportation concurrency requirements of the Clark County Code.

TRANSPORTATION & CIRCULATION

Finding 23 - Pedestrian/Bicycle Circulation Plan

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required for this development. Bike lanes are also required along NE 78th Street.

There is an existing 6-foot wide sidewalk along the frontage of NE 78th Street. The applicant is proposing to construct a 6-foot wide sidewalk along their frontage of NE 39th Avenue. There is also a dedicated 5-foot bike lane along NE 78th Street. The proposed pedestrian/bicycle circulation plan complies with the provisions of CCC 40.350.010. The applicant will be required to show that all existing and proposed pedestrian facilities will be constructed to comply with ADA standards on the final construction plans. (*See Condition A-1.a*)

Finding 24 - Circulation Plan

The proposed development is bordered by NE 78th Street to the north, light Industrial zoned properties to the south, undeveloped commercial zoned properties to the west, and an unimproved right-of-way (NE 39th Avenue) associated with the Padden Park Business Park to the east. The applicant is proposing to construct a partial width north-south roadway, NE 39th Avenue, along the entirety of their east property line. The applicant has submitted a revised *Circulation Plan and Narrative*, [Exhibit 14, Appendix C], prepared by H. Lee & Associates, PLLC dated June 25, 2019 that provides for two potential road layouts to address cross-circulation requirements in the area; however, staff finds that circulation code requirements have not been fully addressed with this development because these road alignments are proposed on adjacent parcels. The applicant has submitted a technical road modification to address this issue. [See Finding 29 - Technical Road Modifications EVR-2019-00014]

Finding 25 - Frontage Roads/Improvements

NE 78th Street is classified as a Principal Arterial (Pr-4cb). The existing roadway is improved with a half-width right-of-way of 40 feet, a paved roadway half-width of 32 feet, curb and gutter, and 6-foot wide attached sidewalk. Code requires a minimum half-width right-of-way of 50 feet, a half-width paved roadway of 36 feet, curb and gutter, and a 5-foot wide detached sidewalk per Clark County Standard Drawing 2. The applicant is proposing to dedicate additional right-of-way to meet the roadway standards. The applicant has submitted a technical road modification to address the substandard pavement width and attached sidewalk location. [See Finding 29 - Technical Road Modifications EVR-2019-00014]

NE 39th Avenue is classified as a Local Commercial/Industrial. Code requires a minimum half-width right-of-way of 30 feet, a half-width paved roadway of 21 feet, curb and gutter, and a 6-foot wide attached sidewalk per Clark County Standard Drawing 8. The applicant is proposing to construct the required frontage improvements.

Any right-of-way dedication for NE 78th Street and NE 39th Avenue must be conveyed to the county prior to final construction/site plan approval. (*See Conditions A-1.b & A1.c*)

Finding 26 - Access Management

The applicant is proposing two new driveway approaches onto NE 39th Avenue. They are spaced approximately 340 feet apart and are 24 to 30 feet in width. The applicant shall comply

with the commercial driveway construction standards when installing the new driveway approaches. (See Condition A-1.d)

Direct access is not proposed or allowed outright to NE 78th Street. The applicant shall close the existing driveway approaches onto NE 78th Street. (See Condition A-1.e)

Finding 27 - Sight Distance

The approval criteria for sight distances at road intersections and driveways are found in CCC 40.350.030(B)(8). Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede sight distance requirements at all proposed driveways and road intersections.

The applicant's engineer has analyzed sight distance in their revised *Traffic Impact Study* [Exhibit 18] prepared by H. Lee & Associates, PLLC dated June 25, 2019. The report states, "The minimum corner sight distance required for the existing NE 78th Street/NE 39th Avenue/Project Access intersection is based on CCC Table 40.350.030-8. Based on the 45 mph speed limit along NE 78th Street, the minimum corner sight distance requirement is 450 feet for the NE 78th Street/NE 39th Avenue/Project Access intersection. Based on sight distance measurements conducted by HLA, over 450 feet of corner sight distance appears to be available to both the east and west of the NE 78th Street/NE 39th Avenue/Project Access intersection as long as the sight distance triangles are properly maintained. The sight distance triangles should be maintained in such a manner that any vegetation within the sight distance triangles do not encumber the sight lines. Also, any physical objects placed within the sight distance triangles should not encumber the sight lines of the motorist at the project access intersection. Because the northbound approach at the project access intersection has not been fully designed or constructed yet, the corner sight distance should be reconfirmed at the final engineering/construction stage of development to assure that any design/construction element does not preclude the necessary corner sight distance requirement."

The applicant will be required to show the sight distance triangles on the final construction plans. Additionally, the applicant will be required to submit a sight distance certification letter for the proposed intersection and both driveways prior to construction completion. (See Conditions A-1.f & C-1)

Finding 28 - Cul-de-Sacs & Turnarounds

The applicant is proposing a temporary cul-de-sac at the south end of NE 39th Avenue. The applicant shall construct the sidewalk within the temporary cul-de-sac as concrete in compliance with Clark County Standard Drawing 26. The majority of the cul-de-sac will be located within public right-of-way; however a portion on the west side is not. A public access easement shall be recorded over the west side of the cul-de-sac bulb. (See Conditions A-1.g & A-1.h)

Finding 29 - Technical Road Modifications (EVR-2019-00014)

The applicant is requesting a two-part technical road modification.

1. To retain the existing attached sidewalk, curb/gutter, and pavement half-width along the development's frontage on NE 78th Street.
2. Relief from meeting cross-circulation requirements.

Applicant's Discussion:

The applicant has submitted two revised road modification narratives; one prepared by SGA Engineering & Design, stamped June 27, 2019 [Exhibit 12] to provide justification for Road Modification 1 and one prepared by H. Lee & Associates, PLLC, dated June 26, 2019 [Exhibit 14] to provide justification for Road Modification 2.

Approval Criteria:

Modifications to the standards contained in Chapter 40.350 may be granted when the applicant demonstrates at least one (1) of the following:

- a. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions make compliance with standards clearly impractical for the circumstances;
- b. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship;
- c. An alternative design is proposed which will provide a plan that is functionally equivalent or superior to the standards;
- d. Application of the standards of Chapter 40.350 to the development would be grossly disproportional to the impacts created;
- e. A change to a specification or standard is required to ensure consistency with existing features adjacent to or affected by the site where those existing features are not expected to change over time.

Staff's Evaluation:**Road Modification 1 – Existing Frontage Improvements on NE 78th Street**

Per CCC 40.350.030(B)(5)(a), a partial-width road shall be established and constructed to the applicable right-of-way or easement and improvement standards set out in Section 40.350.030 to that portion of a frontage public or private road which abuts a parcel being developed as a condition of development approval.

NE 78th Street is classified as a Principal Arterial (Pr-4cb) and fronts the applicant's north property line. Per Table 40.350.030-2, this roadway requires a 50-foot half-width right-of-way, paved roadway half-width of 36 feet, curb/gutter and a detached 5-foot sidewalk. Currently, the right-of-way (40 feet), pavement width (34 feet) and sidewalk location (attached) are substandard along the entire frontage of the site. The applicant is proposing to dedicate 10-foot of right-of-way, but is not proposing to widen the pavement or reconstruct the sidewalk. The roadway width along this street is not expected to change over time and the sidewalks adjacent to the development are also attached to the curb; therefore, staff can support the applicant's proposal to retain the existing pavement width and 6-foot attached sidewalk location along NE 78th Street consistent with adjacent existing features. Approval criterion CCC 40.550.010(C)(2)(e) has been demonstrated.

The applicant will be constructing a right-turn lane on NE 78th Street at the east end of the development. The sidewalk in this location shall be reconstructed to be detached from the curb. There is an existing retaining wall on NE 78th Street along the back side of the sidewalk at the west end of the development. Any portion of the wall that is within the right-of-way shall be removed. Any existing driveway drops onto NE 78th Street from the site shall also be removed. (See *Conditions A-1.e, A-1.i, A-1.j*)

Road Modification 2 – Circulation

The north-south block length between NE 78th Street and development's south property line is approximately 760 feet. Additionally, there is an existing 40-foot unimproved right-of-way stub to the south property line in the middle of parcel 144514-000. To comply with the 800-foot maximum block length cross-circulation requirement and street extension requirements, an east-west road along the applicant's southern property line would be required.

Together with the grading memorandum submitted by H. Lee & Associate, PLLC, dated June 25, 2019, [Exhibit 14, Appendix A], staff concurs with the applicant's analysis that this site has topographical constraints that make it challenging to construct a roadway along the southern boundary. There is a 5 to 7-foot elevation difference between the Acero parcel and the adjacent parcels to the south that makes compliance with the cross-circulation standards clearly impractical for the circumstances. Most of the adjacent parcels have substantial development on them and have direct access to the public roadway system. An alternative circulation plan submitted by H. Lee & Associate, PLLC, dated June 25, 2019, [Exhibit 14, Appendix C], for the area has been provided and staff finds that it is functionally equivalent to the standards. Approval criterion CCC 40.550.010(C)(2)(a) & (c) have been demonstrated

Recommendation:

Staff recommended an **Approval** of the road modification requests, with conditions. The Development Engineering Division Manager has concurred with staff's recommendation. [See Exhibit 28]

Conclusion (Transportation & Circulation)

Staff concludes that the proposed preliminary transportation plan is feasible, subject to the conditions identified above. Therefore, the requirements of the preliminary plan review criteria are satisfied.

STORMWATER & EROSION CONTROL

Finding 30 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, land disturbing activities, and drainage projects consistent with Stormwater Management Manual for Western Washington (SMMWW) and the Clark County Stormwater Manual (CCSM) 2015. The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements (MR) #1 through #9 per Section 1.4, Book 1 of the CCSM 2015. (See Condition A-3.a)

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Condition A-3.b)

Finding 31 - Stormwater Proposal

The 13.78-acre site currently contains multiple single-family residences and outbuildings, which will all be demolished. Site topography generally slopes west to east with steeper slopes located along the western property line. In the predeveloped state, the site runoff is infiltrated onsite and released through draws at the southeast and southwest corners of the site. On-site soils are classified as Hillsboro Silt Loam (HoB & HoC), which have a hydrologic soil group classification of "B" and a Clark County WWHM soil group classification of "SG 3".

The applicant provided a revised *Preliminary Technical Information Report* (TIR) [Exhibit 17] prepared by SGA Engineering & Design dated June 27, 2019. Proposed site improvements include the construction of public frontage improvements, 24 apartment buildings, accessory parking, open space areas, an office property management building with fitness center, pool and maintenance building for a total of approximately 9.09 acres of new hard surface. The site has been divided into five basins; Basins A, B, C, D and Roof.

On-site stormwater management (MR #5) and flow control (MR #7) requirements for the non-pollution generating Basin Roof is met utilizing downspout infiltration trenches (BMP T5.10B) to manage the runoff from all buildings. On-site stormwater management (MR #5), runoff treatment (MR #6) and flow control (MR #7) requirements for Basin A, B, C & D are met utilizing bioretention areas underlain with infiltration trenches (BMP T5.14B) to manage runoff from all other hard surfaces and landscaped areas. A WWHM hydrologic analysis of the historic (forested) and developed site conditions was completed showing that the proposed facilities in Basin B, C, D and Roof can infiltrate 100% of the 50-year total runoff volume. Basin A can infiltrate 95% of the 50-year total runoff volume. The site currently has two main release points for runoff of large storm events that does not infiltrate onsite. Basin A will release to a small existing drainage path in the southwest corner of the site. The drainage eventually makes its way to an existing wetland area. The southeast corner of the site also has an existing drainage pathway that surface flows to an existing storm facility to the east. To address any downstream impacts on water quality and surface water conditions related to the development, the applicant will be required to perform an off-site analysis in conformance with Chapter 5, Book 1 of the CCSM 2015 because the project changes the rate, volume, duration, and location of discharges from the project site. (See Condition A-3.c)

Bioretention areas require a 20-foot setback from all foundations and property lines. The applicant has proposed to locate some of these facilities within 10-feet of adjacent buildings. The applicant's geotechnical engineer, GeoDesign, Inc. has provided a *Infiltration System Location Memo* [Exhibit 15] dated June 19, 2019 that acknowledges, from a geotechnical standpoint, that the locations are acceptable and that infiltration is not expected to have a significant impact on foundation support, provided their recommendations are followed. The applicant shall adhere to the recommendations found in GeoDesign's Reports. (See Condition A-3.d)

Trash and recycling areas (solid waste storage areas) are required to be covered, bermed or diked, paved and impervious. The secondary containment area must be sloped to drain into a dead-end sump. Connection of these drains to the stormwater system is not allowed. (See Condition A-3.e)

All the proposed on-site stormwater facilities shall be privately owned and maintained. (See Conditions A-3.f & A-7)

Finding 32 - Infiltration and Groundwater

GeoDesign, Inc. performed single-ring, falling head infiltration tests on February 21, 2019 in eight test pits. The tested infiltration rates of the native soil were recorded as 4 to 16.4 inches per hour at depths ranging from 10 to 14 feet below the existing ground surface. A factor of safety of 4 for a design infiltration rate of 1 inch per hour was used when sizing the bioretention area and infiltration trenches. The applicant will be required to demonstrate that the tested infiltration rate determined at the time of construction of the infiltration facilities is at least 95 percent of the uncorrected tested infiltration rate used to determine the design rate. (See *Conditions A-3.g & C-2*)

Groundwater was not encountered in any of the test pits to a depth of 15 feet below ground surface. GeoDesign, Inc. also conducted a cone penetrometer test at the site on March 1, 2019 in which the groundwater elevation was found at 46 feet. Considering the depth of the proposed bioretention areas and infiltration trenches, the design appears to achieve the 5-foot separation from the seasonal high ground water level as required. The applicant will be required to demonstrate that any infiltration facilities can achieve the required 5-foot groundwater separation during construction. (See *Conditions A-3.h & C-3*)

Conclusion (Stormwater & Erosion Control)

Staff concludes that the proposed preliminary stormwater plan is feasible, subject to the conditions above. Therefore, the requirements of the preliminary plan review criteria are satisfied.

GEOLOGIC HAZARD AREAS**Finding 33 - Geologic Hazard Areas Applicability & Assessment**

Clark County GIS indicates that portions of the site are located in a regulated geologic hazard area. More specifically, there are slopes over 15% mapped near the southwest corner of the site. All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430.

The applicant's geotechnical engineer, GeoDesign, Inc., provided an *Existing Slopes Memo*, dated March 27, 2019 that assess the steep slopes on the site. In the memo they state, "Per the Clark County Geologic Hazard Areas Ordinance, CCC 40.430, all proposed development in or within 100 feet of a designated geohazard area must be reviewed by a geotechnical engineer or engineering geologist. Upon our review of a preliminary site plan depicting existing grades at the property, dated February 2018, we understand that there are slopes present on the western portion of the property ranging from 2H:1V to greater than 1H:1V. However, when we were on the site to conduct explorations and infiltration testing, we did not observe evidence of instability of the existing slopes. Further, it is our understanding that the slopes at the property will be re-graded during development to have inclinations equal to or less than 2H:1V. Site grading activities will be observed on a periodic basis by representatives of a geotechnical engineer registered in the state of Washington. Consequently, it is our opinion that the existing slopes are stable and the risk of slope instability is low."

The topography of the site relies on the construction of retaining walls to accommodate the steep slopes across the middle of the site. A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in

sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities. (See Condition A-6)

Conclusion (Geologic Hazard Areas)

Staff believes that the applicant has shown compliance with CCC 40.430 by submitting the *Existing Slopes Memo*. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION

Finding 34 - Fire Marshal Review

This application was reviewed by Donna Goddard in the Fire Marshal's Office. Donna can be reached at (564) 397-3323, or e-mail at donna.goddard@clark.wa.gov.

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Conditions E-1.f & G-3)

Finding 35 - Fire Flow

Fire flow in the amount of (1,000) gallons per minute supplied for 120 minutes duration is required for this application, based on building size of not more than 23,300 square feet of Type VB construction with a sprinkler system. A letter has been provided from the water purveyor indicating that 2085 GPM @ 20 PSI is available from a hydrant located near the northeast corner of the subject property. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. (See Conditions A-11.a & E-1.a)

Finding 36 - Fire Hydrants

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads.

Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems.

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection.

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact fire district #5 at (360)487-7260 to arrange for location approval.

Provide and maintain a six-foot clear space completely around every fire hydrant. (See Conditions A-11.b, c & d)

Finding 37 - Fire Apparatus Access

Fire apparatus access is required for this application. Provide two (2) fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of

not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. *(See Condition A-11.e)*

Finding 38 - Fire Apparatus Turnarounds

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. *(See Condition A-11.f)*

Finding 39 - Fire sprinklers

An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. *(See Condition E-1.b)*

Finding 40 - Fire alarms

An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. *(See Condition E-1.c)*

Finding 41 - Gates

No gate may be installed across a required fire department access road or driveway without first obtaining a permit from the Clark County Fire Marshal's Office. Inspection and testing of the gate will be required. Split gates with a divided entry and exit side will need 15 feet on either side for a total gate width of 30 feet. *(See Condition E-1.e)*

Finding 42 - Emergency Responder Radio Coverage System

The buildings must have approved radio coverage for emergency responders as outlined by section 510 of the Fire Code and may require the installation of an Emergency Responder Radio Coverage System. A separate permit is required to install or modify an ERRCS and related equipment. *(See Condition E-1.d)*

Conclusion

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE

Finding 43 - Utilities

The site will be served by the Clark Public Utilities water district and Clark Regional Wastewater sewer district. Letters from the above purveyors confirm that services are available in proximity to the site, though extension of the sewer is required in this case. Prior to occupancy of the proposed buildings, the applicant shall provide documentation from Clark Public Utilities water district and Clark Regional Wastewater sewer district, confirming that water and sanitary sewer connections have been installed and approved. *(See Conditions F-2 and F-3)*

Finding 44 - Public Health Development Review Evaluation

A Public Health Development Review Evaluation Letter has been submitted that confirms Public Health staff conducted an evaluation of the site and determined that no existing

drinking water wells or on-site sewage systems are known to be located on the site. However, multiple groundwater monitoring wells currently exist at the site.

If any on-site sewage system components (tanks or drywells) are found during site development, they must be properly abandoned per CCC 24.17.210.

Any water wells discovered during site development, and any monitoring wells that will not continue to be used for monitoring purposes, must be legally decommissioned by a licensed well driller per WAC 173-160-381. Prior to final site plan approval, the agency responsible for the monitoring wells must submit a report CCPH that identifies which wells may, if any, be decommissioned. All operational and decommissioned wells must be shown on the final site plan. *(See Conditions B-6 and B-7)*

Conclusion

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets water and sewer service requirements of the Clark County Code.

IMPACT FEES

Finding 45 - Traffic Impact Fees

The additional residential units created by this project will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610 as follows:

<input checked="" type="checkbox"/> Hazel Dell sub-area with a TIF of:	\$2,159.26 per dwelling
<input checked="" type="checkbox"/> Park District #8, with a PIF of:	\$3,055.00 per dwelling
<input checked="" type="checkbox"/> Vancouver School District, with a SIF of:	\$2,381.93 per dwelling

The amounts listed above are an estimate using the current impact fee rates and are subject to change. As found in CCC40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. Additionally, two single-family residences on site were recently removed at 3701 NE 78th St and 3611 NE 78th St (permit # DEM-2019-00078) in conjunction with this project. The value of impact fees (traffic/school/park) for these residences will be credited to the first residential building permit issued on site, calculated at a single-family rate. *(See Conditions A-13.c and E-2)*

SEPA Determination

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** - The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** - The impacts can be addressed through conditions of approval; or,

- **DNS = Determination of Non-Significance** - The impacts can be addressed by applying the Clark County Code.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on May 21, 2019 is hereby final.

SEPA Appeal Process

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

SEPA Appeals must be in writing and contain the following information:

1. The case number designated by the county and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Community Development Director. All contact with the Community Development Director regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

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

The decision of the Hearing Examiner is final unless there is:

- A motion is filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Scott Wiedemer, (564) 397-5273

Responsible Official: Mitch Nickolds, Community Development Director

Decision

Based upon the proposed plan known as Exhibit 13, and the findings and conclusions stated above and within the attached reports and decisions, the Land Use Review Manager hereby **APPROVES** this request, subject to the following conditions of approval.

Conditions of Approval

A Final Construction/Site Plan Review Review and Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan and Final Site Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

- A-1 Final Transportation Plan/On-Site** - The applicant shall obtain county approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:
- a. The applicant shall show on the final construction plans that all existing and proposed pedestrian facilities will be constructed to comply with ADA standards. *(See Finding 23)*
 - b. The applicant shall record the right-of-way dedication needed along NE 78th Street to comply with the 50-foot half-width right-of-way standard. *(See Finding 25)*
 - c. The applicant shall record the right-of-way dedication needed along NE 39th Avenue to comply with the 30-foot half-width right-of-way standard. *(See Finding 25)*
 - d. The applicant shall show on the final construction plans that the driveway approaches onto NE 39th Avenue comply with Clark County Standard Detail F17a or approved equivalent. *(See Finding 26)*
 - e. The applicant shall show on the final construction plans that the existing driveway approaches from the subject site onto NE 78th Street are removed and that curb, gutter and sidewalk are constructed. *(See Findings 26 and 29)*
 - f. The applicant shall show the sight distance triangles at the proposed intersection of NE 78th Street and NE 39th Avenue and at the driveway approaches onto NE 39th Avenue on the final construction plans. *(See Finding 27)*
 - g. The applicant shall show on the final construction plans the construction of a temporary cul-de-sac bulb at the south end of NE 39th Avenue in compliance with Clark County Standard Drawing 26. The sidewalk shall be concrete. *(See Finding 28)*

- h. The applicant shall record a public access easement to accommodate the portion of the temporary cul-de-sac at the south end of NE 39th Street that is outside of the public right-of-way. (See Finding 28)
- i. The applicant shall show on the final construction plans that any portion of the frontage on NE 78th Street that is proposed to be reconstructed to facilitate the eastbound right turn lane must be constructed with detached sidewalks. (See Finding 29)
- j. The applicant shall remove any portion of the existing retaining wall along NE 78th Street that is within the public right-of-way. (See Finding 29)

A-2 Transportation:

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.

A-3 Final Stormwater Plan - The applicant shall obtain county approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:

- a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9. (See Finding 30)
- b. The applicant shall demonstrate that the development will not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. (See Finding 30)
- c. The applicant shall submit an offsite analysis prepared in accordance with Book 1, Chapter 5 of the CCSM 2015 with the final TIR. (See Finding 31)
- d. The applicant shall adhere to the recommendations set forth by the Reports of Infiltration Testing Services prepared by GeoDesign, Inc. dated March 7, 2019 and June 13, 2019, unless further studies present new or different facts. (See Finding 31)
- e. The applicant shall show on the final construction plans that the solid waste storage areas are design in accordance with the requirement of Book 3, Chapter 2, pg. 47 of the CCSM 2015. (See Finding 31)
- f. The applicant shall include on the final construction plans a note stating that the on-site stormwater systems shall be privately owned and maintained. (See Finding 31)
- g. The tested and design infiltration rates used to size any infiltration facility shall be identified on the final construction plans. (See Finding 32)

- h. The 5-foot minimum separation from the bottom of any infiltration facility to the seasonal high-groundwater elevation shall be identified on the final construction plans. *(See Finding 32)*
- A-4 Erosion Control Plan** - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386.
- A-5 Excavation and Grading** - Excavation/grading shall be performed in compliance with CCC14.07.
- A-6 Retaining Walls** - A building permit is required for all retaining walls taller than 4 feet and for walls supporting a surcharge. The applicant shall show on the final construction plans all retaining walls in sufficient detail for staff to assess their impact on adjacent roads, structures, and public and private utilities. *(See Finding 33)*
- A-7 Other Required Documents:** – The following documents shall be submitted with the Final Construction/Site Plan:
- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.
- A-8 Final Transportation Plan/Off Site (Concurrency):**
- a. The applicant shall submit construction drawings that show the construction of traffic control. The traffic control proposed shall be acceptable to the county and constructed to restrict the proposed south leg of NE 78th Street/NE 39th Avenue to right-in/right-out turning movements. The traffic control shall also be constructed to allow full turning movements for properties/developments north of the proposed development. In lieu of access restriction at the NE 78th Street/NE 39th Avenue intersection, the applicant may choose to construct a signalized intersection at NE 78th Street/NE 39th Avenue. *(See Finding 16)*
- b. The applicant shall submit a signing and striping plan for review and approval. This plan shall show the construction of an eastbound right-turn lane on NE 78^h Street at NE 39th Avenue. This right-turn lane shall be designed in compliance with county

standards. These plans shall also include signing and striping and all related features for required frontage improvements and any off-site improvements. (See Finding 18)

- c. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.

A-9 Final Transportation Plan/Off Site (Concurrency) – The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. (See Finding 20)

A-10 Final Transportation Plan/Off Site (Concurrency) – The applicant shall submit construction plans that show all applicable design vehicles have the ability to enter and exit the development while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking areas near public road intersections and the driveway intersections with NE 39th Avenue. (See Finding 21)

A-11 Fire Marshal Requirements

- a. Fire flow in the amount of (1,000) gallons per minute supplied for 120 minutes duration is required for this application. A letter has been provided from the water purveyor indicating that 2085 GPM @ 20 PSI is available from a hydrant located near the northeast corner of the subject property. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. (See Finding 35)
- b. Fire hydrants are required for this application. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. (See Finding 36)
- c. Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems. (See Finding 36)
- d. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District #5 at (360) 487-7260 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant. (See Finding 36)
- e. Fire apparatus access is required for this application. Provide two (2) fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Finding 37)
- f. Approved fire apparatus turnarounds are required for this project. (See Finding 38)

A-12 Final Site Plan - The applicant shall submit and obtain county approval of a final site plan in conformance with CCC 40.520.040 and the following conditions of approval:

- a. A plan detail shall be provided on the site plan, portraying compliance with design standards for trash enclosures contained within CCC 40.360.030(B) and the Clark County Stormwater Manual (2015), Book 3, Page 47. *(See Finding 8)*
- b. The final site plan shall include a lighting plan consistent with RCW 47.36.180.
- c. Adequate ADA parking shall be included on the final site plan.
- d. Pedestrian access shall be provided to the site from NE 39th Avenue. *(See Finding 9)*
- e. Wheel Stops shall be required for all parking spaces when the front of the space abuts a sidewalk, or the sidewalk shall be widened 3 feet in addition to the required minimum width for ADA access. *(See Finding 7)*
- f. A minimum of 48 square feet of outdoor private area (patio, terrace, yard) is required for ground level units. Appropriate landscape screening must be identified to clearly define the boundary between public and private space. *(See Finding 6)*
- g. Shared outdoor recreation areas (common open space) must be clearly identified, not including any acreage of any perimeter landscaping buffers. *(See Finding 6)*

A-13 Final Site Plan notes

- a. "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- b. "If environmental contamination is discovered at the site, it must be reported to Ecology's Southwest Regional Office by contacting the Environmental Report Tracking System Coordinator at (360) 407-6300."
- c. Impact Fees: "In accordance with CCC 40.610, impact fees for each dwelling in this subdivision shall be assessed for impacts on schools, parks and transportation facilities based for the following districts: Vancouver School District (SIF), Park District 8 (PIF) and Hazel Dell Sub-area (TIF). Impact fees are calculated using the rates in effect at the time of building permit issuance."

A-14 Final Landscape Plan - The applicant shall submit and obtain county approval of a final landscape plan consistent with the approved preliminary landscape plan and CCC 40.320. Interior landscaping, including screening of private outdoor space, and the treatment of public open spaces shall be identified. *(See Findings 5 & 6)*

**B Prior to Construction of Development
Review and Approval Authority: Development Inspection**

Prior to construction, the following conditions shall be met:

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 Erosion Control** - Erosion control facilities shall not be removed without county approval.
- B-4 Traffic Control Plan** - Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.
- B-5 Demolition of Existing Structures**
Prior to demolition of existing structures on site, the applicant must obtain a Clark County Demolition permit. Additionally, the applicant must comply with Southwest Clean Air Agency requirements that an asbestos inspection must be conducted by an AHERA-certified inspector in order to determine the presence of asbestos containing material (ACM) in the structure and vicinity, and the AHERA asbestos inspection report must be posted for viewing at the project site.
- B-6 Public Health Review** - If an on-site sewage system is found during site development, it must be properly abandoned per CCC 24.17.210. (See Finding 44)
- B-7 Public Health Review** - Any water wells discovered during site development, and any existing groundwater monitoring wells that will not continue to be used for monitoring purposes, must be legally decommissioned by a licensed well driller per WAC 173-160-381. Prior to final site plan approval, the agency responsible for the monitoring wells must submit a report CCPH that identifies which wells may, if any, be decommissioned. All operational and decommissioned wells must be shown on the final site plan. (See Finding 44)

**C Provisional Acceptance of Development
Review and Approval Authority: Development Inspection**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Sight Distance

The applicant shall provide a sight distance certification letter verifying that sight distance is met at the intersection of NE 78th Street and NE 39th Avenue and the driveway approaches onto NE 39th Avenue. (See Finding 27)

C-2 Stormwater

In accordance with Section 5.1.2, Book 2 of the Clark County Stormwater Manual 2015, if the tested coefficient of permeability determined at the time of construction is at least 95 percent of the uncorrected coefficient of permeability used to determine the design rate, construction may proceed. If the tested rate does not meet this requirement, the applicant shall submit a plan to Clark County that follows the requirements in Section 1.8.5., Book 1. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system will meet the minimum requirements of this manual. (See Finding 32)

C-3 Stormwater

During installation of the infiltration facilities, the applicant shall demonstrate that the groundwater table is at least 5 feet below the designed elevation of the bottom of the facility. The system shall be redesigned if the required separation is not achieved. (See Finding 32)

E	Building Permits Review and Approval Authority: Permit Services
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Prior to issuance of a building permit, the following conditions shall be met:

E-1 Fire Marshal Requirements

- a. Prior to construction, fire flow in the amount of 1,000 gallons per minute supplied for 120 minutes duration is required for this application. Water mains supplying fire flow and fire hydrants shall be installed, approved, and operational prior to commencement of combustible building construction. (See Finding 35)
- b. An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. (See Finding 39)
- c. An approved fire alarm system is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. (See Finding 40)
- d. The buildings must have approved radio coverage for emergency responders as outlined by section 510 of the Fire Code, and may require the installation of an Emergency Responder Radio Coverage System. Such systems require a separate permit, issued by the fire marshal's office, to install or modify an ERRCS and related equipment. (See Finding 42)
- e. Gates that obstruct fire department access require a separate permit (including review, inspection and testing) from the Clark County Fire Marshal's Office. (See Finding 41)

- f. Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. *(See Finding 34)*

E-2 Impact Fees

The additional multi-family residential units created by this project will produce impacts on schools, parks, and traffic, and are subject to School (SIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610. Prior to issuance of a building permit, the applicant shall pay impact fees for each dwelling unit as follows:

- TIF of \$2,159.26 per dwelling for the Hazel Dell sub-area
- SIF of \$2,381.93 per dwelling for the Vancouver School District
- PIF of \$3,055.00 per dwelling for Park District #8

The amounts listed above are an estimate using the current impact fee rates and are subject to change. Impact fees are calculated using the rates in effect at the time of building permit issuance. Additionally, to account for two (2) single-family residences that were recently removed on site, the value of impact fees (traffic/school/park) for these residences will be credited to the first residential apartment building permit issued for the project, with the credit calculated at a single-family rate. *(See Finding 45)*

- E-3 Building permits are required for covered solid waste and recycling storage areas. *(See Finding 8)*
- E-4 Sign permits will require separate land use sign permit applications and building permits. *(See Finding 10)*
- E-5 The individual lots shall be merged into one site, or otherwise adjusted to prevent encroachment issues, prior to building permit issuance. *(See Finding 11)*

F Occupancy Permits Review and Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

- F-1 **Landscaping** -Prior to the issuance of an approval of occupancy for the project, the applicant shall submit a copy of the approved landscape plan(s), with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site. *(See Finding 5)*
- F-2 **Public Health Review** - The applicant shall provide documentation from the Clark Public Utilities that water connections to the proposed buildings have been installed and approved. *(See Finding 43)*

- F-3 Public Health Review** – The applicant shall provide documentation from the Clark Regional Wastewater District that public sewer connections to the propose buildings have been installed and approved. *(See Finding 43)*

G Development Review Timelines & Advisory Information
Review and Approval Authority: None - Advisory to Applicant

- G-1 Site Plans and Other Land Use Approvals** - Within seven (7) years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.
- G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (ECY) is required for any land disturbing activities such as clearing, grading, excavating, stockpiling of fill material, and/or demolition that:

- Disturbs one or more acres of land; **OR**
- Are part of a common plan of development or sale that will ultimately disturb one or more acres of land. A common plan of development or sale is an area where multiple, separate, and distinct construction activities may be taking place on different schedules under one plan. In a common plan of development, the disturbed area of the entire plan is used to determine if a permit is required; **AND**
- Discharge stormwater from the site into surface water(s) of the state or into storm drainage systems, including ditches, which discharge to state surface waters. Surface waters of the state: Include wetlands, ditches, rivers, unnamed creeks, rivers, lakes, estuaries, and salt water.

The applicant shall Contact the ECY for further information.

G-3 Building and Fire Safety

Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements. *(See Finding 34)*

H Post Development Requirements
Review and Approval Authority: As specified below

- H-1 Outdoor Lighting** – Exterior lighting shall be located, shielded, and directed to prevent significant off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.

Note: The Community Development Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Community Development Director within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98660, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on October 9, 2019. Therefore any appeal must be received in this office by the close of business on October 23, 2019.

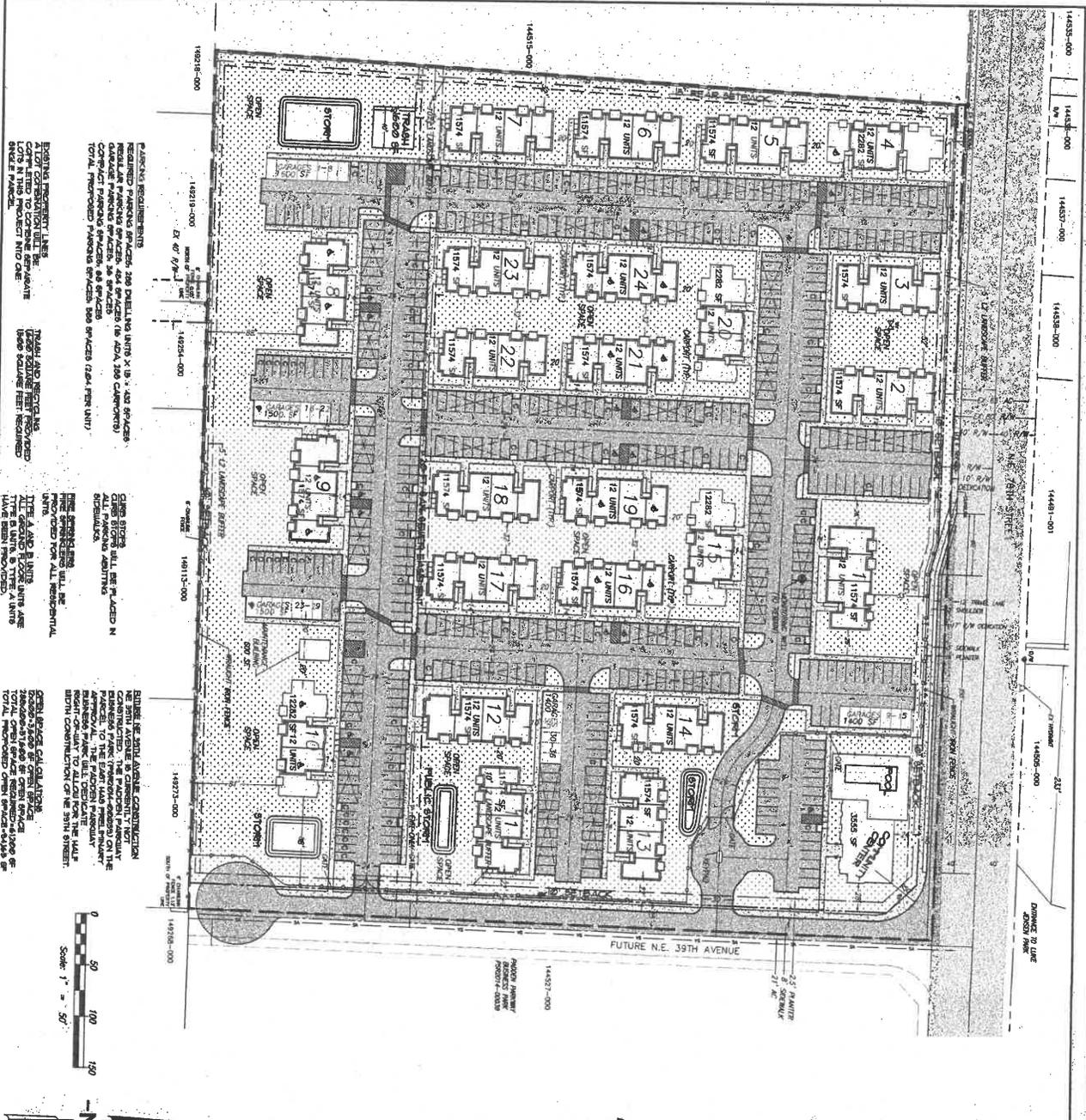
Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee

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

Attachments

- Site Plan



PARKING REQUIREMENTS
 REQUIRED PARKING SPACES: 240 DWELLING UNITS X 1.9 = 453 SPACES
 REQUIRED PARKING SPACES: 424 SPACES (16 ADA 200 CAPACITY)
 TOTAL PROVIDED PARKING SPACES: 448 SPACES
 TOTAL PROVIDED PARKING SPACES: 280 SPACES (254 PER UNIT)

EXISTING IMPROVEMENT LINES
 ALL EXISTING IMPROVEMENTS SHALL BE MAINTAINED
 ALL EXISTING UTILITIES SHALL BE MAINTAINED
 ALL EXISTING UTILITIES SHALL BE MAINTAINED
 ALL EXISTING UTILITIES SHALL BE MAINTAINED

NEW IMPROVEMENTS
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GENERAL NOTES
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 ALL DIMENSIONS SHALL BE AS SHOWN

ACERO PADDEN APARTMENTS
 22 D.U./ACRE MAX. - 13 D.U./ACRE MIN.
 228 UNITS/13.12 GROSS ACRES = 21.95
 PROPOSED DENSITY

APARTMENTS (RESIDENTIAL)
 22 D.U./ACRE MAX. - 13 D.U./ACRE MIN.
 228 UNITS/13.12 GROSS ACRES = 21.95
 PROPOSED DENSITY

UNIMPAVED LOT AREA
 UNIMPAVED LOT AREA: 10,000 SF. MIN. ALLOWED
 UNIMPAVED LOT WIDTH: 50 FT. MIN. ALLOWED
 FRONT YARD SETBACK: 10 FT.
 SIDE YARD SETBACK: 10 FT.
 REAR YARD SETBACK: 10 FT.
 MIN. YARD SETBACK: 10 FT.

UTILITIES
 WATER: CLARK PUBLIC UTILITIES
 SEWER: CLARK PUBLIC UTILITIES
 GAS: CLARK PUBLIC UTILITIES
 ELECTRIC: CLARK COUNTY POWER (40-240)
 TELEPHONE: CLARK COUNTY POWER (40-240)
 CABLE: CLARK COUNTY POWER (40-240)

DEVELOPMENT
 PROPOSED RESIDENTIAL AREA: 13.12 ACRES
 NET SITE AREA (100-25 ZONING): 14.12 ACRES
 MINIMUM LOT AREA: 10,000 SF.
 FRONT-OF-YARD DECKING: 4.07 ACRES
 UNCOVERED AREA AND OPEN SPACE: 2.14 ACRES



APPROVALS
 CITY OF WASHINGTON: 1101 ST. JOHN STREET, N.W. WASHINGTON, DC 20004
 DISTRICT OF COLUMBIA: 1101 ST. JOHN STREET, N.W. WASHINGTON, DC 20004
 CLARK COUNTY: 1101 ST. JOHN STREET, N.W. WASHINGTON, DC 20004

DESIGNER
 SCI ENGINEERING PLLC
 2025 BROADWAY
 WASHINGTON, DC 20005-9922
 PHONE: 202-556-1100
 FAX: 202-556-1101
 WWW: www.sci-engineering.com

PREPARED BY
 SCI ENGINEERING PLLC
 2025 BROADWAY
 WASHINGTON, DC 20005-9922
 PHONE: 202-556-1100
 FAX: 202-556-1101
 WWW: www.sci-engineering.com

DATE
 06/27/2018

SCALE
 1"=50'

DESIGNED BY:	SA/2504
DRAWN BY:	SA/2504
CHECKED BY:	SA/2504
SCALE:	1"=50'

PRELIMINARY SITE PLAN

ACERO PADDEN APARTMENTS

CLARK COUNTY WASHINGTON

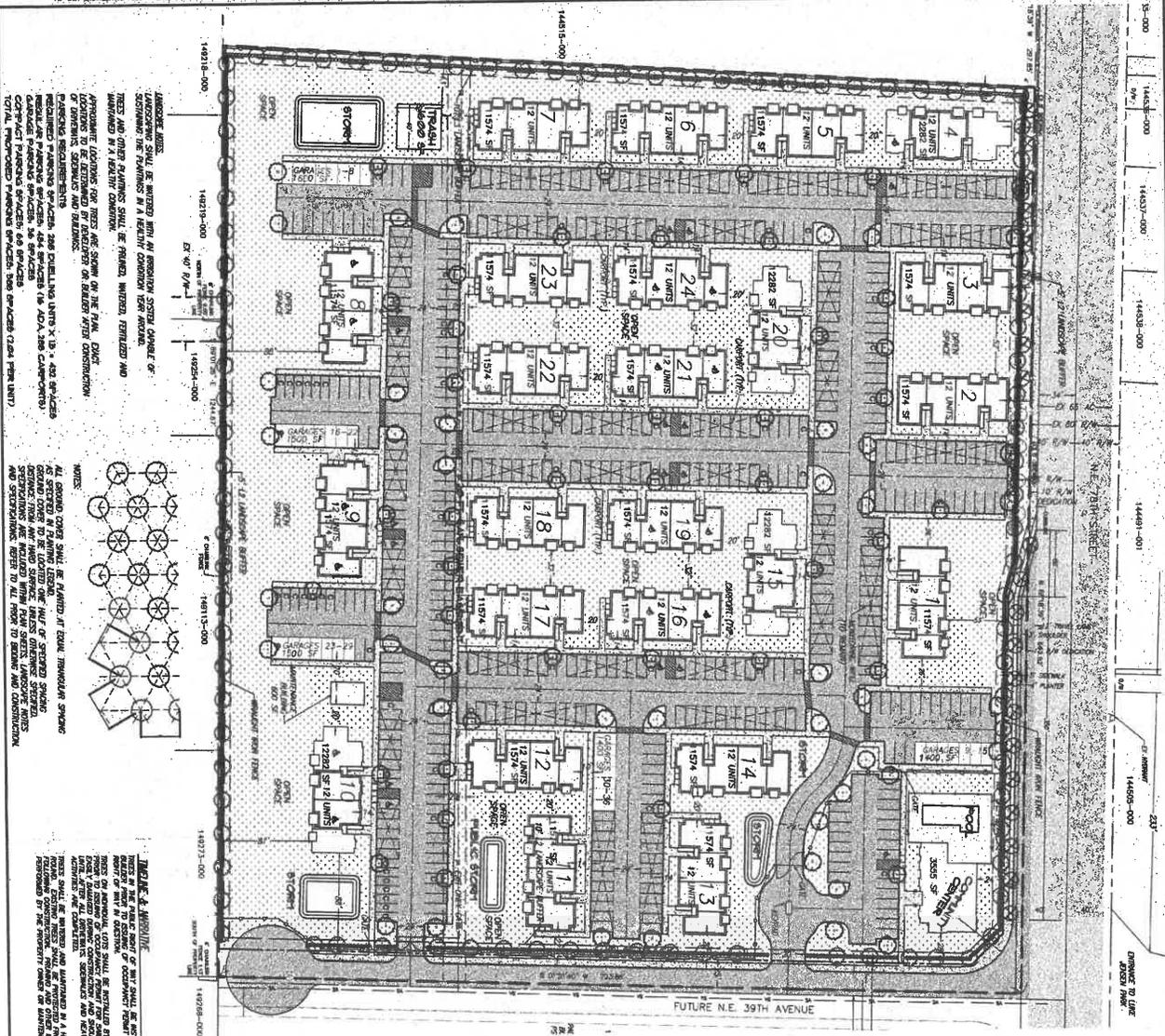
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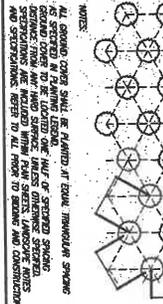
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LANDSCAPE NOTES:
 1. LANDSCAPING SHALL BE INSTALLED WITH AN IRRIGATION SYSTEM. APPROX. 8" SCHED. 40 GALV. STEEL MAINLINE PIPING SHALL BE INSTALLED IN CONFORMANCE WITH THE IRRIGATION SYSTEM DESIGN. SEE SCHEDULE 40 GALV. STEEL MAINLINE PIPING FOR SIZES AND SPACING. APPROXIMATE LOCATIONS FOR TRENCHES, MANHOLES, TRENCHES AND LOCATIONS TO BE DETERMINED BY DESIGNER OR SUBLETER WITH CONSTRUCTION ENGINEER'S SUPERVISION.
 2. APPROXIMATE LOCATIONS FOR TRENCHES, MANHOLES, TRENCHES AND LOCATIONS TO BE DETERMINED BY DESIGNER OR SUBLETER WITH CONSTRUCTION ENGINEER'S SUPERVISION.
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PLANTING LEGEND:
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 208. 1176" x 1176" x 1176" TREE
 209. 1182" x 1182" x 1182" TREE
 210. 1188" x 1188" x 1188" TREE
 211. 1194" x 1194" x 1194" TREE
 212. 1200" x 1200" x 1200" TREE
 213. 1206" x 1206" x 1206" TREE
 214. 1212" x 1212" x 1212" TREE
 215. 1218" x 1218" x 1218" TREE
 216. 1224" x 1224" x 1224" TREE
 217. 1230" x 1230" x 1230" TREE
 218. 1236" x 1236" x 1236" TREE
 219. 1242" x 1242" x 1242" TREE
 220. 1248" x 1248" x 1248" TREE
 221. 1254" x 1254" x 1254" TREE
 222. 1260" x 1260" x 1260" TREE
 223. 1266" x 1266" x 1266" TREE
 224. 1272" x 1272" x 1272" TREE
 225. 1278" x 1278" x 1278" TREE
 226. 1284" x 1284" x 1284" TREE
 227. 1290" x 1290" x 1290" TREE
 228. 1296" x 1296" x 1296" TREE
 229. 1302" x 1302" x 1302" TREE
 230. 1308" x 1308" x 1308" TREE
 231. 1314" x 1314" x 1314" TREE
 232. 1320" x 1320" x 1320" TREE
 233. 1326" x 1326" x 1326" TREE
 234. 1332" x 1332" x 1332" TREE
 235. 1338" x 1338" x 1338" TREE
 236. 1344" x 1344" x 1344" TREE
 237. 1350" x 1350" x 1350" TREE
 238. 1356" x 1356" x 1356" TREE
 239. 1362" x 1362" x 1362" TREE
 240. 1368" x 1368" x 1368" TREE
 241. 1374" x 1374" x 1374" TREE
 242. 1380" x 1380" x 1380" TREE
 243. 1386" x 1386" x 1386" TREE
 244. 1392" x 1392" x 1392" TREE
 245. 1398" x 1398" x 1398" TREE
 246. 1404" x 1404" x 1404" TREE
 247. 1410" x 1410" x 1410" TREE
 248. 1416" x 1416" x 1416" TREE
 249. 1422" x 1422" x 1422" TREE
 250. 1428" x 1428" x 1428" TREE
 251. 1434" x 1434" x 1434" TREE
 252. 1440" x 1440" x 1440" TREE
 253. 1446" x 1446" x 1446" TREE
 254. 1452" x 1452" x 1452" TREE
 255. 1458" x 1458" x 1458" TREE
 256. 1464" x 1464" x 1464" TREE
 257. 1470" x 1470" x 1470" TREE
 258. 1476" x 1476" x 1476" TREE
 259. 1482" x 1482" x 1482" TREE
 260. 1488" x 1488" x 1488" TREE
 261. 1494" x 1494" x 1494" TREE
 262. 1500" x 1500" x 1500" TREE
 263. 1506" x 1506" x 1506" TREE
 264. 1512" x 1512" x 1512" TREE
 265. 1518" x 1518" x 1518" TREE
 266. 1524" x 1524" x 1524" TREE
 267. 1530" x 1530" x 1530" TREE
 268. 1536" x 1536" x 1536" TREE
 269. 1542" x 1542" x 1542" TREE
 270. 1548" x 1548" x 1548" TREE
 271. 1554" x 1554" x 1554" TREE
 272. 1560" x 1560" x 1560" TREE
 273. 1566" x 1566" x 1566" TREE
 274. 1572" x 1572" x 1572" TREE
 275. 1578" x 1578" x 1578" TREE
 276. 1584" x 1584" x 1584" TREE
 277. 1590" x 1590" x 1590" TREE
 278. 1596" x 1596" x 1596" TREE
 279. 1602" x 1602" x 1602" TREE
 280. 1608" x 1608" x 1608" TREE
 281. 1614" x 1614" x 1614" TREE
 282. 1620" x 1620" x 1620" TREE
 283. 1626" x 1626" x 1626" TREE
 284. 1632" x 1632" x 1632" TREE
 285. 1638" x 1638" x 1638" TREE
 286. 1644" x 1644" x 1644" TREE
 287. 1650" x 1650" x 1650" TREE
 288. 1656" x 1656" x 1656" TREE
 289. 1662" x 1662" x 1662" TREE
 290. 1668" x 1668" x 1668" TREE
 291. 1674" x 1674" x 1674" TREE
 292. 1680" x 1680" x 1680" TREE
 293. 1686" x 1686" x 1686" TREE
 294. 1692" x 1692" x 1692" TREE
 295. 1698" x 1698" x 1698" TREE
 296. 1704" x 1704" x 1704" TREE
 297. 1710" x 1710" x 1710" TREE
 298. 1716" x 1716" x 1716" TREE
 299. 1722" x 1722" x 1722" TREE
 300. 1728" x 1728" x 1728" TREE
 301. 1734" x 1734" x 1734" TREE
 302. 1740" x 1740" x 1740" TREE
 303. 1746" x 1746" x 1746" TREE
 304. 1752" x 1752" x 1752" TREE
 305. 1758" x 1758" x 1758" TREE
 306. 1764" x 1764" x 1764" TREE
 307. 1770" x 1770" x 1770" TREE
 308. 1776" x 1776" x 1776" TREE
 309. 1782" x 1782" x 1782" TREE
 310. 1788" x 1788" x 1788" TREE
 311. 1794" x 1794" x 1794" TREE
 312. 1800" x 1800" x 1800" TREE
 313. 1806" x 1806" x 1806" TREE
 314. 1812" x 1812" x 1812" TREE
 315. 1818" x 1818" x 1818" TREE
 316. 1824" x 1824" x 1824" TREE
 317. 1830" x 1830" x 1830" TREE
 318. 1836" x 1836" x 1836" TREE
 319. 1842" x 1842" x 1842" TREE
 320. 1848" x 1848" x 1848" TREE
 321. 1854" x 1854" x 1854" TREE
 322. 1860" x 1860" x 1860" TREE
 323. 1866" x 1866" x 1866" TREE
 324. 1872" x 1872" x 1872" TREE
 325. 1878" x 1878" x 1878" TREE
 326. 1884" x 1884" x 1884" TREE
 327. 1890" x 1890" x 1890" TREE
 328. 1896" x 1896" x 1896" TREE
 329. 1902" x 1902" x 1902" TREE
 330. 1908" x 1908" x 1908" TREE
 331. 1914" x 1914" x 1914" TREE
 332. 1920" x 1920" x 1920" TREE
 333. 1926" x 1926" x 1926" TREE
 334. 1932" x 1932" x 1932" TREE
 335. 1938" x 1938" x 1938" TREE
 336. 1944" x 1944" x 1944" TREE
 337. 1950" x 1950" x 1950" TREE
 338. 1956" x 1956" x 1956" TREE
 339. 1962" x 1962" x 1962" TREE
 340. 1968" x 1968" x 1968" TREE
 341. 1974" x 1974" x 1974" TREE
 342. 1980" x 1980" x 1980" TREE
 343. 1986" x 1986" x 1986" TREE
 344. 1992" x 1992" x 1992" TREE
 345. 1998" x 1998" x 1998" TREE
 346. 2004" x 2004" x 2004" TREE
 347. 2010" x 2010" x 2010" TREE
 348. 2016" x 2016" x 2016" TREE
 349. 2022" x 2022" x 2022" TREE
 350. 2028" x 2028" x 2028" TREE
 351. 2034" x 2034" x 2034" TREE
 352. 2040" x 2040" x 2040" TREE
 353. 2046" x 2046" x 2046" TREE
 354. 2052" x 2052" x 2052" TREE
 355. 2058" x 2058" x 2058" TREE
 356. 2064" x 2064" x 2064" TREE
 357. 2070" x 2070" x 2070" TREE
 358. 2076" x 2076" x 2076" TREE
 359. 2082" x 2082" x 2082" TREE
 360. 2088" x 2088" x 2088" TREE
 361. 2094" x 2094" x 2094" TREE
 362. 2100" x 2100" x 2100" TREE
 363. 2106" x 2106" x 2106" TREE
 364. 2112" x 2112" x 2112" TREE
 365. 2118" x 2118" x 2118" TREE
 366. 2124" x 2124" x 2124" TREE
 367. 2130" x 2130" x 2130" TREE
 368. 2136" x 2136" x 2136" TREE
 369. 2142" x 2142" x 2142" TREE
 370. 2148" x 2148" x 2148" TREE
 371. 2154" x 2154" x 2154" TREE
 372. 2160" x 2160" x 2160" TREE
 373. 2166" x 2166" x 2166" TREE
 374. 2172" x 2172" x 2172" TREE
 375. 2178" x 2178" x 2178" TREE
 376. 2184" x 2184" x 2184" TREE
 377. 2190" x 2190" x 2190" TREE
 378. 2196" x 2196" x 2196" TREE
 379. 2202" x 2202" x 2202" TREE
 380. 2208" x 2208" x 2208" TREE
 381. 2214" x 2214" x 2214" TREE
 382. 2220" x 2220" x 2220" TREE
 383. 2226" x 2226" x 2226" TREE
 384. 2232" x 2232" x 2232" TREE
 385. 2238" x 2238" x 2238" TREE
 386. 2244" x 2244" x 2244" TREE
 387. 2250" x 2250" x 2250" TREE
 388. 2256" x 2256" x 2256" TREE
 389. 2262" x 2262" x 2262" TREE
 390. 2268" x 2268" x 2268" TREE
 391. 2274" x 2274" x 2274" TREE
 392. 2280" x 2280" x 2280" TREE
 393. 2286" x 2286" x 2286" TREE
 394. 2292" x 2292" x 2292" TREE
 395. 2298" x 2298" x 2298" TREE
 396. 2304" x 2304" x 2304" TREE
 397. 2310" x 2310" x 2310" TREE
 398. 2316" x 2316" x 2316" TREE
 399. 2322" x 2322" x 2322" TREE
 400. 2328" x 2328" x 2328" TREE
 401. 2334" x 2334" x 2334" TREE
 402. 2340" x 2340" x 2340" TREE
 403. 2346" x 2346" x 2346" TREE
 404. 2352" x 2352" x 2352" TREE
 405. 2358" x 2358" x 2358" TREE
 406. 2364" x 2364" x 2364" TREE
 407.

Role	Company Name	Name	Address 1	Address 2	City	State	Zip Code	Email Address
Planner	Clark County	Scott Wiedmer						
Applicant		Ott Gaither	1101 SE Tech Center Dr	# 160	Vancouver	WA	98683	ott@gaitherconstruction.com
Owner	Gaither Family, LLC		17308 NE 65th Ave		Vancouver	WA	98686	
N/H Association	NE Hazel Dell Nbhd Assoc							
Contact Person	SGA Engineering, PLLC	Samuel Moss	2005 Broadway St		Vancouver	WA	98663	dougballou@comcast.net
Utility Contact								smoss@sgaengineering.com
	Clark County	Desiree DeMonye						Desiree.DeMonye@clark.wa.gov
	City of Vancouver	Kristin Lehto						Kristin.Lehto@cityofvancouver.us
		Jennifer Halleck						Jennifer.Halleck@vansd.org
		Jeff Roberts						jeff@crandallgroup.com
Agency	SWCAA	Duane Johnson	11815 NE 99th St, Suite 1294		Vancouver	WA	98682	duane@swcleanair.org
Agency	Ecology	Morgan Dorner						swrosepacordinator@ecy.wa.gov



EXHIBIT LIST

Project Name: **ACERO PADDEN APARTMENTS**

Case Number: **PSR-2019-00013**

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
1	4/8/19	Applicant	Application Package
2	2/28/19	CC Land Use	Legal Lot Determination
3	4/29/19	CC Land Use	Fully Complete
4	5/21/19	CC Land Use	Notice of Type II Application/SEPA
5	5/21/19	CC Land Use	Affidavit of Mailing - Exhibit 4
6	5/28/19	CC Land Use	Early Issues Notification
7	6/5/19	Ecology	SEPA comments
8	6/5/19	SWCAA	SEPA comments
9	6/11/19	Applicant	Project "Hold" requested
10	6/28/19	Applicant	SGA Transmittal Letter (early issues submittal)
10.5	6/28/19	Applicant	Revised Preliminary Plans
11	6/28/19	Applicant	Early Issues Response Narrative
12	6/28/19	Applicant	SGA Technical Road Mod Narrative
13	6/28/19	Applicant	Memo from LeAnne Bremer, regarding Road Mod
14	6/28/19	Applicant	Revised road mod, cross circulation plan, & grading plan
15	6/28/19	Applicant	GeoDesign Memo regarding infiltration trench setbacks
16	6/28/19	Applicant	Revised Site Plan Narrative
17	6/28/19	Applicant	Revised Stormwater TIR
18	6/28/19	Applicant	Revised Traffic Impact Study
19	6/28/19	Applicant	Forest Practices Permit from CC Public Works Forestry (dated 5/29/19)
20	7/11/19	CC Land Use	Dev. Eng. & Land Use Review Comments - Early Issues Submittal Items
21	7/12/19	CC Land Use	Concurrency Review Comments - Early Issues Submittal Items
22	7/22/19	CC Dev. Engineering	Technical Road Mod Committee Findings

Copies of these exhibits can be viewed at:
 Department of Community Development
 Development Services Division
 1300 Franklin Street
 Vancouver, WA 98666-9810

EXHIBIT NUMBER	DATE	SUBMITTED BY	DESCRIPTION
23	7/30/19	CC Public Works	Correspondence with Applicant regarding Road Mod
24	8/19/19	Applicant	Correspondence with Public Works regarding Road Mod and proposed DA agreement
25	8/28/19	Applicant	Request to Remove Project "Hold"
26	8/29/19	CC Concurrency	Road Mod Resolution
27	8/30/19	CC Land Use	Project "Hold" released
28	9/25/19	CC Dev. Engineering	Technical Road Mod - Report & Recommendation
29	9/25/19	CC Dev. Engineering	Engineering Staff Report
30	9/25/19	CC Public Works	Traffic Concurrency Staff Report
31	10/4/19	Applicant	Request to place project on "Hold" (and associated correspondence)
32	10/9/19	CC Land Use	Final Staff Report & Decision - Type II Site Plan Review
33	10/9/19	CC Land Use	Affidavit of Mailing - Exhibit 32

Copies of these exhibits can be viewed at:
Department of Community Development
Development Services Division
1300 Franklin Street
Vancouver, WA 98666-9810