



# NOTICE OF DECISION AND ORDER

## Modification to Approved Plans MC-24-1

MAILED June 26, 2024

APPLICANT: Gary Darling, DL Consulting WA, Inc.

PROPERTY OWNER: Pacific Rim Apartments LLC

SUBJECT OF REVIEW: Modification to add parking lot for Pacific Rim Apartments

APPEAL PERIOD ENDS: July 11, 2024

### HEARING AND RECORD

The Planning Department completed and approved Site Design Review (SDR-22-3) for a new 24-space overflow parking lot for the Pacific Rim Apartments on tax lot 81027DD00100 at 1484-1487 SE Snowberry Lane. The application was approved on March 21, 2023. The applicant has since proposed revisions to the approved plans that include changing the proposed stormwater detention swale with below ground piped detention. The applicant also proposes to remove the retaining wall, protective fence, and swale access.

Staff approved MC-24-1 on April 10, 2024. The Notice of Decision and Order was appealed to the Planning Commission on April 15, 2024. The Planning Commission held a public hearing on the appeal on June 13, 2024. At the hearing, the Planning Commission moved to deny the appeal and reinforce the original Notice of Decision.

### CONDITIONS OF APPROVAL

1. Within 180 days of the end of the appeal period, the applicant shall submit a site plan which removes the parking and pavement overlapping the storm easement. Otherwise, the application shall be considered expired.
2. In accordance with OPSC 104.1, the developer shall apply for a plumbing permit within 180 days of the end of the appeal period. Otherwise, the application shall be considered expired.
3. In accordance with OPSC 1101.4.1, all storm sewers shall conform to the applicable standards of the OPSC.

4. In accordance with OPSC 721.2, an easement for the off-site storm sewer improvements shall be recorded prior to the resubmittal of the site plan.

Copies of all submittals and related documents are available by contacting the Warrenton Planning Department at (503) 861-0920 or [planning@warrentonoregon.us](mailto:planning@warrentonoregon.us).

Type III decisions are final and effective one day after the appeal period expires. The appeal period is June 27, 2024 – July 11, 2024. **This decision is final and effective on July 12, 2024.** Failure of any person to receive mailed notice shall not invalidate the decision, provided that a good faith attempt was made to mail the notice.

## RIGHT TO APPEAL

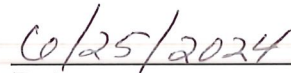
In accordance with Warrenton Municipal Code 16.208.050(H), any person with standing to appeal may appeal the Planning Commission's decision by filing a Notice of Appeal according to the following procedures:

1. Time for filing. A Notice of Appeal shall be filed with the Community Development Director within 14 days of the date the notice of decisions was mailed.
2. Content of Notice of Appeal: The notice of appeal shall contain:
  - A. An identification of the decision being appealed, including the date of the decision.
  - B. A statement demonstrating the person filing the notice of appeal has standing to appeal.
  - C. A statement explaining the specific issue raised on appeal.
  - D. If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period.
  - E. Filing fee.
3. The appeal of a Type III quasi-judicial decision shall be limited to the specific issues raised during the written comment period or at the public hearing unless the City Commission allows additional evidence or testimony concerning any other relevant issue. The City Commission may allow such additional evidence if it determines that such evidence is necessary to resolve the case. Written or oral comments received during the comment period or public hearing will usually limit the scope of issues on appeal. Only in extraordinary circumstances should new issues be considered by the City Commission on appeal of a Type III Quasi-Judicial Decision.

For questions, please contact the Warrenton Planning Department at (503) 861-0920 or [planning@warrentonoregon.us](mailto:planning@warrentonoregon.us).



Chris Hayward, Chair  
Warrenton Planning Commission



Date